SENATE—*Thursday, April 23, 1998*

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Almighty God, we praise You for Your guidance. As we begin the work of the Senate today, we pray with the Psalmist, "Show me Your ways, O Lord; teach me Your paths. Lead me in Your truth and teach me, for You are the God of my salvation; on You I wait all the day."—Psalm 25:4–5.

We acknowledge our total dependence on You. Revelation of Your truth comes in relationship with You; Your inspiration is given when we are illuminated with Your Spirit. Therefore, we prepare for this day by opening our minds to the inflow of Your Spirit. You know what is ahead today. Crucial issues for the future of our Nation confront us.

We praise You Lord that when this day comes to an end we will have the deep inner peace of knowing that You have heard and answered this prayer for guidance. In the name of our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, the distinguished Senator from Georgia, is recognized.

SCHEDULE

Mr. COVERDELL. Mr. President, this morning the Senate will immediately proceed to a stacked series of rollcall votes. Following the stacked votes, it appears that there are up to four remaining first-degree amendments in order to the Coverdell education bill. It is hoped that these amendments will be offered and debated in a timely fashion so that final passage can occur by early afternoon today. Therefore, Senators should expect rollcall votes throughout today's session with respect to the Coverdell bill or any other legislative or executive items cleared for action.

I thank my colleagues for their attention.

Mr. President, parliamentary inquiry. Is it not true that by previous agreement we will now begin three stacked votes?

The PRESIDING OFFICER (Mr. FAIRCLOTH). The Senator is correct.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 2646, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2646) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Coats amendment No. 2297, to provide an additional incentive to donate to elementary and secondary schools or other organizations which provide scholarships to disadvantaged children.

Levin/Bingaman amendment No. 2299, to replace the expansion of education individual retirement accounts to elementary and secondary school expenses with an increase in the lifetime learning education credit for expenses of teachers in improving technology training.

Landrieu amendment No. 2301, to provide funding to carry out a program that recognizes public and private elementary and secondary schools that have established standards of excellence.

Kempthorne modified amendment No. 2302 (to amendment No. 2301), to provide for student improvement incentive awards.

Levin amendment No. 2303 (to amendment No. 2299, as amended), to replace the expansion of education individual retirement accounts to elementary and secondary school expenses with an increase in the lifetime learning education credit for expenses of teachers in improving technology training.

AMENDMENT NO. 2297

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate prior to a vote on or in relation to the Coats amendment No. 2297.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Indiana.

Mr. COATS. Mr. President, this amendment Members will be voting on shortly simply adds an incentive to the current deduction that is allowed for individuals making contributions to tax-exempt organizations that provide scholarships for low-income children.

Currently it is 100 percent deductible. We are adding an additional 10 percent incentive so that these organizations, of which currently more than 30 exist around the country, can receive additional funds through this incentive so that they can offer additional scholarships to children trapped in an educational system which allows them no escape. There are currently programs operating in virtually every major city in the country. They are giving children a chance.

Those who say, "If you can't give everybody a chance, you can't give anybody a chance", are like those standing on the Titanic saying, "If we don't have enough lifeboats for all on this sinking ship, nobody gets to use the existing lifeboats."

These kids are condemned to failure with no way out of the plight they are in. Let us allow these organizations that are reaching out through private contributions a chance to give these kids a chance.

This is paid for. It is revenue neutral. Earlier the offset was an elimination of the gambling loss deduction. That has been replaced. There was controversy. We wanted the focus to be on this amendment. That has been replaced by two provisions of the Internal Revenue Code, changes that are approved by the Finance Committee. There should be no controversy on that.

I urge my colleagues to give children, low-income children in minority situations mostly in urban schools—let us give them a chance.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, this week we were supposed to be debating our Nation's policy on education. Where our Nation's children are going to school is to the public school systems. We do not have anything against the private school system, but we ought to be testing every single recommendation against does it really help our public schools or are we taking needed funds away from our public schools?

This does absolutely nothing for our public schools. It gives no help and assistance to hard-working parents whose children are going to public schools. What it does do is it says we are going to give a preference in terms of charitable giving to these specific organizations over charitable giving to cancer, over charitable giving to heart disease, over charitable giving to Alzheimer's, over charitable giving to a wide range of other very worthwhile factors.

What is possibly the justification for that? We ought to consider tax policy

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

in that respect, but this is not good education policy. It does not advance our common interest of moving the public schools toward greater academic achievement and accomplishment. That ought to be the test. This fails on the education standard, and it fails on tax policy.

Mr. President, I hope that the amendment will not be accepted.

Mr. COVERDELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 2297. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—46

Abraham	Frist	McCain
Allard	Gorton	McConnell
Ashcroft	Gramm	Roberts
Bennett	Grams	Santorum
Bond	Gregg	Sessions
Brownback	Hatch	Shelby
Burns	Helms	Smith (NH)
Campbell	Hutchinson	Smith (OR)
Coats	Hutchison	Snowe
Cochran	Inhofe	Stevens
Coverdell	Kempthorne	Thomas
Craig	Kyl	Thompson
D'Amato	Lieberman	Thurmond
DeWine	Lott	Warner
Domenici	Lugar	
Faircloth	Mack	

NAYS—54

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Biden	Ford	Mikulski
Bingaman	Glenn	Moseley-Braun
Boxer	Graham	Moynihan
Breaux	Grassley	Murkowski
Bryan	Hagel	Murray
Bumpers	Harkin	Nickles
Byrd	Hollings	Reed
Chafee	Inouye	Reid
Cleland	Jeffords	Robb
Collins	Johnson	Rockefeller
Conrad	Kennedy	Roth
Daschle	Kerrey	Sarbanes
Dodd	Kerry	Specter
Dorgan	Kohl	Torricelli
Durbin	Landrieu	Wellstone
Enzi	Lautenberg	Wyden

The amendment (No. 2297) was rejected.

Mr. KENNEDY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. COVERDELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the next vote in this series be limited to 10 minutes in length.

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

AMENDMENT NO. 2302, AS MODIFIED

The PRESIDING OFFICER. Under the previous order there will now be 2 minutes of debate prior to the vote on or in relation to the Kempthorne amendment 2302, as modified.

The text of the amendment (No. 2302), as modified, is as follows:

AMENDMENT NO. 2302

(Purpose: To amend section 6201 of the Elementary and Secondary Education Act of 1965 to provide for student improvement incentive awards, and for other purposes)

Strike all after the first word, and insert the following:

101. MODIFICATIONS TO EDUCATION INDIVIDUAL RETIREMENT ACCOUNTS.

(a) TAX-FREE EXPENDITURES FOR ELEMENTARY AND SECONDARY SCHOOL EXPENSES.—

(1) IN GENERAL.—Section 530(b)(2) (defining qualified higher education expenses) is amended to read as follows:

"(2) QUALIFIED EDUCATION EXPENSES.—

"(A) IN GENERAL.—The term 'qualified education expenses' means—

"(i) qualified higher education expenses (as defined in section 529(e)(3)), and

"(ii) qualified elementary and secondary education expenses (as defined in paragraph (4)).

Such expenses shall be reduced as provided in section 25A(g)(2).

"(B) QUALIFIED STATE TUITION PROGRAMS.—Such term shall include amounts paid or incurred to purchase tuition credits or certificates, or to make contributions to an account, under a qualified State tuition program (as defined in section 529(b)) for the benefit of the beneficiary of the account."

(2) QUALIFIED ELEMENTARY AND SECONDARY EDUCATION EXPENSES.—Section 530(b) (relating to definitions and special rules) is amended by adding at the end the following new paragraph:

"(4) QUALIFIED ELEMENTARY AND SECONDARY EDUCATION EXPENSES.—

"(A) IN GENERAL.—The term 'qualified elementary and secondary education expenses' means—

"(i) expenses for tuition, fees, academic tutoring, special needs services, books, supplies, computer equipment (including related software and services), and other equipment which are incurred in connection with the enrollment or attendance of the designated beneficiary of the trust as an elementary or secondary school student at a public, private, or religious school, or

"(ii) expenses for room and board, uniforms, transportation, and supplementary items and services (including extended day programs) which are required or provided by a public, private, or religious school in connection with such enrollment or attendance.

"(B) SPECIAL RULE FOR HOMESCHOOLING.—Such term shall include expenses described in subparagraph (A)(i) in connection with education provided by homeschooling if the requirements of any applicable State or local law are met with respect to such education.

"(C) SCHOOL.—The term 'school' means any school which provides elementary education or secondary education (kindergarten through grade 12), as determined under State law."

(3) SPECIAL RULES FOR APPLYING EXCLUSION TO ELEMENTARY AND SECONDARY EXPENSES.—Section 530(d)(2) (relating to distributions for qualified higher education expenses) is amended by adding at the end the following new subparagraph:

"(D) SPECIAL RULES FOR ELEMENTARY AND SECONDARY EXPENSES.—

"(i) IN GENERAL.—The aggregate amount of qualified elementary and secondary education expenses taken into account for purposes of this paragraph with respect to any education individual retirement account for all taxable years shall not exceed the sum of the aggregate contributions to such account for taxable years beginning after December 31, 1998, and before January 1, 2003, and earnings on such contributions.

"(ii) SPECIAL OPERATING RULES.—For purposes of clause (i)—

"(I) the trustee of an education individual retirement account shall keep separate accounts with respect to contributions and earnings described in clause (i), and

"(II) if there are distributions in excess of qualified elementary and secondary education expenses for any taxable year, such excess distributions shall be allocated first to contributions and earnings not described in clause (i)."

(4) CONFORMING AMENDMENTS.—Subsections (b)(1) and (d)(2) of section 530 are each amended by striking "higher" each place it appears in the text and heading thereof.

(b) MAXIMUM ANNUAL CONTRIBUTIONS.—

(1) IN GENERAL.—Section 530(b)(1)(A)(iii) (defining education individual retirement account) is amended by striking "$500" and inserting "the contribution limit for such taxable year".

(2) CONTRIBUTION LIMIT.—Section 530(b) (relating to definitions and special rules), as amended by subsection (a)(2), is amended by adding at the end the following new paragraph:

"(5) CONTRIBUTION LIMIT.—The term 'contribution limit' means $500 ($2,000 in the case of any taxable year beginning after December 31, 1998, and ending before January 1, 2003)."

(3) CONFORMING AMENDMENTS.—

(A) Section 530(d)(4)(C) is amended by striking "$500" and inserting "the contribution limit for such taxable year".

(B) Section 4973(e)(1)(A) is amended by striking "$500" and inserting "the contribution limit (as defined in section 530(b)(5)) for such taxable year".

(c) WAIVER OF AGE LIMITATIONS FOR CHILDREN WITH SPECIAL NEEDS.—Section 530(b)(1) (defining education individual retirement account) is amended by adding at the end the following flush sentence:

"The age limitations in the preceding sentence shall not apply to any designated beneficiary with special needs (as determined under regulations prescribed by the Secretary)."

(d) CORPORATIONS PERMITTED TO CONTRIBUTE TO ACCOUNTS.—Section 530(c)(1) (relating to reduction in permitted contributions based on adjusted gross income) is amended by striking "The maximum amount which a contributor" and inserting "In the case of a contributor who is an individual, the maximum amount the contributor".

(e) NO DOUBLE BENEFIT.—Section 530(d)(2) (relating to distributions for qualified education expenses), as amended by subsection (a)(3), is amended by adding at the end the following new subparagraph:

"(E) DISALLOWANCE OF EXCLUDED AMOUNTS AS CREDIT OR DEDUCTION.—No deduction or credit shall be allowed to the taxpayer under any other section of this chapter for any qualified education expenses to the extent taken into account in determining the amount of the exclusion under this paragraph."

(f) TECHNICAL CORRECTIONS.—

(1)(A) Section 530(b)(1)(E) (defining education individual retirement account) is amended to read as follows:

"(E) Any balance to the credit of the designated beneficiary on the date on which the beneficiary attains age 30 shall be distributed within 30 days after such date to the beneficiary or, if the beneficiary dies before attaining age 30, shall be distributed within 30 days after the date of death to the estate of such beneficiary."

(B) Section 530(d) (relating to tax treatment of distributions) is amended by adding at the end the following new paragraph:

"(8) DEEMED DISTRIBUTION ON REQUIRED DISTRIBUTION DATE.—In any case in which a distribution is required under subsection (b)(1)(E), any balance to the credit of a designated beneficiary as of the close of the 30-day period referred to in such subsection for making such distribution shall be deemed distributed at the close of such period."

(2)(A) Section 530(d)(1) is amended by striking "section 72(b)" and inserting "section 72".

(B) Section 72(e) (relating to amounts not received as annuities) is amended by inserting after paragraph (8) the following new paragraph:

"(9) EXTENSION OF PARAGRAPH (2)(B) TO QUALIFIED STATE TUITION PROGRAMS AND EDUCATIONAL INDIVIDUAL RETIREMENT ACCOUNTS.—Notwithstanding any other provision of this subsection, paragraph (2)(B) shall apply to amounts received under a qualified State tuition program (as defined in section 529(b)) or under an education individual retirement account (as defined in section 530(b)). The rule of paragraph (8)(B) shall apply for purposes of this paragraph."

(3) Section 530(d)(4)(B) (relating to exceptions) is amended by striking "or" at the end of clause (ii), by striking the period at the end of clause (iii) and inserting ", or", and by adding at the end the following new clause:

"(iv) an amount which is includible in gross income solely because the taxpayer elected under paragraph (2)(C) to waive the application of paragraph (2) for the taxable year."

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 1998.

(2) TECHNICAL CORRECTIONS.—The amendments made by subsection (f) shall take effect as if included in the amendments made by section 213 of the Taxpayer Relief Act of 1997.

SEC. 102. STUDENT IMPROVEMENT INCENTIVE AWARDS.

Section 6201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7331) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by striking "and" after the semicolon;

(B) in paragraph (2), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(3) student improvement incentive awards described in subsection (c)."; and

(2) by adding at the end the following:

"(c) STUDENT IMPROVEMENT INCENTIVE AWARDS.—

"(1) AWARDS.—A State educational agency may use funds made available for State use under this title to make awards to public schools in the State that are determined to be outstanding schools pursuant to a statewide assessment described in paragraph (2).

"(2) STATEWIDE ASSESSMENT.—The statewide assessment referred to in paragraph (1)—

"(A) shall—

"(i) determine the educational progress of students attending public schools within the State; and

"(ii) allow for an objective analysis of the assessment on a school-by-school basis; and

"(B) may involve exit exams.".

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Idaho.

Mr. KEMPTHORNE. Mr. President, thank you very much.

Mr. President, this is a very straightforward amendment. This is a voluntary, incentive-based approach to help improve the academic excellence in our public schools. It allows each State, if they wish, to utilize Federal funds that they receive so they can reward excellence and encourage their schools. There is no new requirement of new Federal money. It uses existing Federal money. There is no new Federal bureaucracy put in place. It would be taken care of, again, voluntarily by the States. It is simply a concept that all of us believe in; that is, incentive and reward. We now give a new tool to our public schools to utilize these funds for that purpose, if the States so choose.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. FRIST). Who yields time?

Ms. LANDRIEU addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, let me ask my colleagues to join me in voting against the second-degree amendment to my underlying amendment on blue ribbon schools. This is a do-nothing amendment. The States actually can already do this with the money they receive. There is no reason for this amendment. The only thing that this amendment does, if by any chance it passes, is it limits our——

Mr. WELLSTONE. Mr. President, could we have order?

The PRESIDING OFFICER. The Senate will be in order.

Ms. LANDRIEU. Mr. President, this amendment is a do-nothing amendment. In some ways it could be harmful to the current blue ribbon program that is so excellent now in our country, because if this amendment would pass, you would not be able to reward private and parochial schools who are doing an excellent job. A wonderful thing about our blue ribbon school program is that it recognizes excellence across the board and helps us. It will give them more than a blue ribbon and a plaque; it will give them some financial incentive to continue to do good work.

I ask my colleagues to vote "no" on the Kempthorne amendment and then to support our blue ribbon amendment, which is the underlying amendment.

Thank you very much, Mr. President.

Mr. KEMPTHORNE. Mr. President, I greatly respect the Senator from Louisiana, but I totally disagree with the characterization of the Senator from Louisiana. This allows the States to finally utilize these funds so they can make financial rewards to our schools as they should do.

Thank you.

The PRESIDING OFFICER. The time has expired.

The yeas and nays have not yet been ordered.

Mr. COVERDELL. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Idaho. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 58, nays 42, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS—58

Abraham	Frist	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Reid
Bond	Grassley	Roberts
Brownback	Gregg	Roth
Burns	Hagel	Santorum
Campbell	Hatch	Sessions
Chafee	Helms	Shelby
Cleland	Hutchinson	Smith (NH)
Coats	Hutchison	Smith (OR)
Cochran	Inhofe	Snowe
Collins	Jeffords	Specter
Coverdell	Kempthorne	Stevens
Craig	Kyl	Thomas
D'Amato	Lieberman	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Warner
Enzi	Mack	
Faircloth	McCain	

NAYS—42

Akaka	Feingold	Lautenberg
Baucus	Feinstein	Leahy
Biden	Ford	Levin
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Breaux	Harkin	Moynihan
Bryan	Hollings	Murray
Bumpers	Inouye	Reed
Byrd	Johnson	Robb
Conrad	Kennedy	Rockefeller
Daschle	Kerrey	Sarbanes
Dodd	Kerry	Torricelli
Dorgan	Kohl	Wellstone
Durbin	Landrieu	Wyden

The amendment (No. 2302), as modified, was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the amendment is modified to be a first-degree amendment.

The amendment (No. 2302), as modified further, reads as follows:

Strike section 101 and insert the following:

101. MODIFICATIONS TO EDUCATION INDIVIDUAL RETIREMENT ACCOUNTS.

(a) TAX-FREE EXPENDITURES FOR ELEMENTARY AND SECONDARY SCHOOL EXPENSES.—

(1) IN GENERAL.—Section 530(b)(2) (defining qualified higher education expenses) is amended to read as follows:

"(2) QUALIFIED EDUCATION EXPENSES.—

"(A) IN GENERAL.—The term 'qualified education expenses' means—

"(i) qualified higher education expenses (as defined in section 529(e)(3)), and

"(ii) qualified elementary and secondary education expenses (as defined in paragraph (4)).

Such expenses shall be reduced as provided in section 25A(g)(2).

"(B) QUALIFIED STATE TUITION PROGRAMS.—Such term shall include amounts paid or incurred to purchase tuition credits or certificates, or to make contributions to an account, under a qualified State tuition program (as defined in section 529(b)) for the benefit of the beneficiary of the account."

(2) QUALIFIED ELEMENTARY AND SECONDARY EDUCATION EXPENSES.—Section 530(b) (relating to definitions and special rules) is amended by adding at the end the following new paragraph:

"(4) QUALIFIED ELEMENTARY AND SECONDARY EDUCATION EXPENSES.—

"(A) IN GENERAL.—The term 'qualified elementary and secondary education expenses' means—

"(i) expenses for tuition, fees, academic tutoring, special needs services, books, supplies, computer equipment (including related software and services), and other equipment which are incurred in connection with the enrollment or attendance of the designated beneficiary of the trust as an elementary or secondary school student at a public, private, or religious school, or

"(ii) expenses for room and board, uniforms, transportation, and supplementary items and services (including extended day programs) which are required or provided by a public, private, or religious school in connection with such enrollment or attendance.

"(B) SPECIAL RULE FOR HOMESCHOOLING.—Such term shall include expenses described in subparagraph (A)(i) in connection with education provided by homeschooling if the requirements of any applicable State or local law are met with respect to such education.

"(C) SCHOOL.—The term 'school' means any school which provides elementary education or secondary education (kindergarten through grade 12), as determined under State law."

(3) SPECIAL RULES FOR APPLYING EXCLUSION TO ELEMENTARY AND SECONDARY EXPENSES.—Section 530(d)(2) (relating to distributions for qualified higher education expenses) is amended by adding at the end the following new subparagraph:

"(D) SPECIAL RULES FOR ELEMENTARY AND SECONDARY EXPENSES.—

"(i) IN GENERAL.—The aggregate amount of qualified elementary and secondary education expenses taken into account for purposes of this paragraph with respect to any education individual retirement account for all taxable years shall not exceed the sum of the aggregate contributions to such account for taxable years beginning after December 31, 1998, and before January 1, 2003, and earnings on such contributions.

"(ii) SPECIAL OPERATING RULES.—For purposes of clause (i)—

"(I) the trustee of an education individual retirement account shall keep separate accounts with respect to contributions and earnings described in clause (i), and

"(II) if there are distributions in excess of qualified elementary and secondary education expenses for any taxable year, such excess distributions shall be allocated first to contributions and earnings not described in clause (i)."

(4) CONFORMING AMENDMENTS.—Subsections (b)(1) and (d)(2) of section 530 are each amended by striking "higher" each place it appears in the text and heading thereof.

(b) MAXIMUM ANNUAL CONTRIBUTIONS.—

(1) IN GENERAL.—Section 530(b)(1)(A)(iii) (defining education individual retirement account) is amended by striking "$500" and inserting "the contribution limit for such taxable year".

(2) CONTRIBUTION LIMIT.—Section 530(b) (relating to definitions and special rules), as amended by subsection (a)(2), is amended by adding at the end the following new paragraph:

"(5) CONTRIBUTION LIMIT.—The term 'contribution limit' means $500 ($2,000 in the case of any taxable year beginning after December 31, 1998, and ending before January 1, 2003)."

(3) CONFORMING AMENDMENTS.—

(A) Section 530(d)(4)(C) is amended by striking "$500" and inserting "the contribution limit for such taxable year".

(B) Section 4973(e)(1)(A) is amended by striking "$500" and inserting "the contribution limit (as defined in section 530(b)(5)) for such taxable year".

(c) WAIVER OF AGE LIMITATIONS FOR CHILDREN WITH SPECIAL NEEDS.—Section 530(b)(1) (defining education individual retirement account) is amended by adding at the end the following flush sentence:

"The age limitations in the preceding sentence shall not apply to any designated beneficiary with special needs (as determined under regulations prescribed by the Secretary)."

(d) CORPORATIONS PERMITTED TO CONTRIBUTE TO ACCOUNTS.—Section 530(c)(1) (relating to reduction in permitted contributions based on adjusted gross income) is amended by striking "The maximum amount which a contributor" and inserting "In the case of a contributor who is an individual, the maximum amount the contributor".

(e) NO DOUBLE BENEFIT.—Section 530(d)(2) (relating to distributions for qualified education expenses), as amended by subsection (a)(3), is amended by adding at the end the following new subparagraph:

"(E) DISALLOWANCE OF EXCLUDED AMOUNTS AS CREDIT OR DEDUCTION.—No deduction or credit shall be allowed to the taxpayer under any other section of this chapter for any qualified education expenses to the extent taken into account in determining the amount of the exclusion under this paragraph."

(f) TECHNICAL CORRECTIONS.—

(1)(A) Section 530(b)(1)(E) (defining education individual retirement account) is amended to read as follows:

"(E) Any balance to the credit of the designated beneficiary on the date on which the beneficiary attains age 30 shall be distributed within 30 days after such date to the beneficiary or, if the beneficiary dies before attaining age 30, shall be distributed within 30 days after the date of death to the estate of such beneficiary."

(B) Section 530(d) (relating to tax treatment of distributions) is amended by adding at the end the following new paragraph:

"(8) DEEMED DISTRIBUTION ON REQUIRED DISTRIBUTION DATE.—In any case in which a distribution is required under subsection (b)(1)(E), any balance to the credit of a designated beneficiary as of the close of the 30-day period referred to in such subsection for making such distribution shall be deemed distributed at the close of such period."

(2)(A) Section 530(d)(1) is amended by striking "section 72(b)" and inserting "section 72".

(B) Section 72(e) (relating to amounts not received as annuities) is amended by inserting after paragraph (8) the following new paragraph:

"(9) EXTENSION OF PARAGRAPH (2)(B) TO QUALIFIED STATE TUITION PROGRAMS AND EDUCATIONAL INDIVIDUAL RETIREMENT ACCOUNTS.—Notwithstanding any other provision of this subsection, paragraph (2)(B) shall apply to amounts received under a qualified State tuition program (as defined in section 529(b)) or under an education individual retirement account (as defined in section 530(b)). The rule of paragraph (8)(B) shall apply for purposes of this paragraph."

(3) Section 530(d)(4)(B) (relating to exceptions) is amended by striking "or" at the end of clause (ii), by striking the period at the end of clause (iii) and inserting ", or", and by adding at the end the following new clause:

"(iv) an amount which is includible in gross income solely because the taxpayer elected under paragraph (2)(C) to waive the application of paragraph (2) for the taxable year."

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 1998.

(2) TECHNICAL CORRECTIONS.—The amendments made by subsection (f) shall take effect as if included in the amendments made by section 213 of the Taxpayer Relief Act of 1997.

SEC. 102. STUDENT IMPROVEMENT INCENTIVE AWARDS.

Section 6201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7331) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by striking "and" after the semicolon;

(B) in paragraph (2), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(3) student improvement incentive awards described in subsection (c)."; and

(2) by adding at the end the following:

"(c) STUDENT IMPROVEMENT INCENTIVE AWARDS.—

"(1) AWARDS.—A State educational agency may use funds made available for State use under this title to make awards to public schools in the State that are determined to be outstanding schools pursuant to a statewide assessment described in paragraph (2).

"(2) STATEWIDE ASSESSMENT.—The statewide assessment referred to in paragraph (1)—

"(A) shall—

"(i) determine the educational progress of students attending public schools within the State; and

"(ii) allow for an objective analysis of the assessment on a school-by-school basis; and

"(B) may involve exit exams.".

AMENDMENT NO. 2301

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate prior to a vote on or in relation to the Landrieu amendment No. 2301. Who yields time?

Ms. LANDRIEU. Mr. President, could I have some order, please?

Mr. KENNEDY. Mr. President, may we have order? The Senator is entitled to be heard.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, as this body knows, many on both sides of this aisle support blue ribbon schools because we believe that we should begin rewarding excellence, funding results, and we should stop funding failures. Blue ribbon schools are chosen by their States every year. Some of them are public—many of them. Some of them are private. Some of them are parochial. When they achieve against the odds and when their students succeed, we call them to Washington and they come, 250 of them every year. We give them a beautiful, shiny plaque and a big blue ribbon and we send them home with nothing else but the plaque and the blue ribbon. They are happy to get it, but what they really want and need are some resources to continue doing their good work.

So I think this is a better way to spend the $1.5 billion. Instead of helping just a few people in America, we can help all of our schools and begin rewarding results. That is what this amendment does, the blue ribbon school amendment. I ask my colleagues to support it.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time? The Senator from Georgia.

Mr. COVERDELL. Mr. President, there is certainly nothing wrong with an amendment that tries to improve blue ribbon schools. But the amendment by the Senator from Louisiana guts the underlying premise of the bill. What is substituted here is pretty simple. You have 250 schools that would receive a grant of $100,000, or you have 20 million children and 14 million families that will benefit all across the Nation. In balance, there is just no comparison at all. So I would simply say again her amendment guts the underlying premise we have been debating for 6 months and exchanges assistance to 200-some-odd schools for 14 million families.

I urge the defeat of the amendment.

The PRESIDING OFFICER. The yeas and nays have not yet been ordered.

Mr. COVERDELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 34, nays 66, as follows:

[Rollcall Vote No. 97 Leg.]

YEAS—34

Akaka	Harkin	Mikulski
Bingaman	Hollings	Moseley-Braun
Boxer	Inouye	Moynihan
Bumpers	Johnson	Murray
Conrad	Kennedy	Reed
Daschle	Kerrey	Robb
Dodd	Kerry	Rockefeller
Dorgan	Kohl	Sarbanes
Durbin	Landrieu	Wellstone
Feingold	Lautenberg	Wyden
Ford	Leahy	
Glenn	Levin	

NAYS—66

Abraham	Domenici	Lugar
Allard	Enzi	Mack
Ashcroft	Faircloth	McCain
Baucus	Feinstein	McConnell
Bennett	Frist	Murkowski
Biden	Gorton	Nickles
Bond	Graham	Reid
Breaux	Gramm	Roberts
Brownback	Grams	Roth
Bryan	Grassley	Santorum
Burns	Gregg	Sessions
Byrd	Hagel	Shelby
Campbell	Hatch	Smith (NH)
Chafee	Helms	Smith (OR)
Cleland	Hutchinson	Snowe
Coats	Hutchison	Specter
Cochran	Inhofe	Stevens
Collins	Jeffords	Thomas
Coverdell	Kempthorne	Thompson
Craig	Kyl	Thurmond
D'Amato	Lieberman	Torricelli
DeWine	Lott	Warner

The amendment (No. 2301) was rejected.

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of Levin amendment No. 2303 on which there shall be 30 minutes of debate equally divided.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I yield 1 minute to my good friend from Louisiana on an unrelated matter.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Thank you, Mr. President. I thank my colleague from Michigan.

TAKE OUR DAUGHTERS TO WORK DAY

Ms. LANDRIEU. Today, Mr. President, and colleagues, is a very special day in America. We are celebrating here in the Senate, and millions of people around our Nation are celebrating this special day. It is "Take Our Daughters to Work Day." And mothers and fathers and aunts and uncles and friends are taking their special charges to work with them to see perhaps a side of life that some young girls do not get to see.

It is the sixth year that our Nation has celebrated in this way. I wanted to just say for the record that we have made a lot of progress in our Nation in the past 30 years. In 1968, only 20 percent of 18- to 24-year-old women were enrolled in college. Today, thank goodness that number is climbing, and we are at 36 percent.

The median earnings for women in 1968 was only $18,500. Today, women earn an average of $23,000. We are making progress, but not enough.

I saw a statistic the other day that still 80 percent of all women who work out of the home earn less than $25,000, earning 74 cents on every dollar earned by their male counterparts.

In 1968, women owned fewer than 5 percent of the Nation's businesses. That number has doubled, and I am proud to say that there are more people employed by women-owned businesses than all the Fortune 500 companies in the country. So we are making progress.

Today is a day to honor the progress that is being made. But it is also a day to encourage our young girls, particularly in the ages of 9 to 15, to reach for their dreams, to expand their horizons, to consider all the great options that are available for them as they think about beginning to make choices about their careers. They can balance home life and work life and they can chose careers that were unheard of just a few years ago.

I hope some of these young girls who are here today with us will think about the Senate, I say to our colleague from Michigan, to think about encouraging more young women to run here for the Senate.

So I thank my colleagues for giving me this time to recognize this day. I want to welcome my niece with me today, Gracie Landrieu, who came up—my daughter is only 10 months old, so she is a little too young to appreciate today. But she is going to be with me for a few minutes later today. But my niece, who is 10, can most certainly appreciate the great challenges before her. And I wish her all the best, as we do all of our daughters across America.

Thank you.

EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2303

Mr. LEVIN. Mr. President, first I ask unanimous consent that Senators BINGAMAN and MURRAY be added as cosponsors to my amendment.

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

Mr. LEVIN. Mr. President, this amendment provides a tax credit to teachers who return to school to learn education technology. The credit would be 50 percent of the cost of that training. The current situation across our country is that educators are trying to find ways to use technologies to enrich the learning experience and to prepare students for a world in which information technologies are increasingly woven into the fabric of our life and our work.

School districts all over this land are making investments in hardware and in software and in connecting computers and in accessing Internet and in

distance learning. I traveled around my State, and I have spent a lot of time doing this, focusing on education technologies in the last 6 months. And I find, of course, as you would expect, there is a great variety in terms of how advanced school districts are when it comes to installing good computers, putting in the necessary software, how many computers they have for their student body, how much so-called local area networks, how many of those they have in the school connecting the computers to each other, how much access to the Internet in their school, to what extent are they connected to nearby colleges or distant colleges and universities, and those kinds of efforts. A huge effort is being made with different degrees of success.

But what these school districts tell me universally is that where they are falling short is in the development of their teaching staff in the use of the technologies they are able to acquire. That is the common story I get from every school district—that we need to train our teachers in the use of these technologies. Typically, we find that only about 5 cents of the technology dollar is going into professional development and 95 cents of the education technology dollar is going into the hardware and software and connecters and the access.

This Government is spending a fortune, for instance, in the so-called universal service fund to provide every school that applies with a discount on their communication bills to access the Internet, for instance, and on some of their internal linkages. But where we are falling way below where we must be is when it comes to the training of our teachers, of our professional staff in the use of these technologies.

This first chart shows, as of the time that the statistics were taken in 1994—and we do not think too much has changed since then; but this is the last available year—how the States are doing when it comes to the training of teachers.

How much education technology training do our teachers have? The U.S. average, this red line on this chart, is 15 percent of our teachers; 15 percent of our teachers have at least 9 hours of training in education technology. That is it. In my State, only 10 percent of the teachers—1 out of 10—had at least 9 hours of training in their lifetime in the use of education technology. That is a woeful story.

What it means is that with all of the dollars that are going into hardware and software and these other technologies that we are spending pennies on, what is critically important is the skills to use the technologies which are provided. The most difficult skill of all is the one that has been least acquired. That is the ability to integrate the material which is now available through these technologies into the curriculum. Very few teachers are accessing the information, the thousands of libraries now available to them through their computers, the hundreds of field trips which they now can take in their classrooms if they know how to use these technologies. Until our teachers have those skills and are given those opportunities, we are not using these technologies to their fullest or anywhere close to their fullest.

What this amendment does is, it says to those teachers who are willing to go back for training, we will give you a tax credit of 50 percent of the cost of that training. Now, we already have a lifetime learning credit of 20 percent that is a credit against the cost of higher education. That has been a great advance. It is effective this year. This amendment builds on that lifetime learning credit. It says for those teachers who go back to gain the skills in the use of education technology, they will get a 50 percent credit. It is a significantly increased incentive to obtain those skills which are so critically necessary if we are going to make use of these technologies and if our children are going to have the kind of training and access to material which can only be given by their teachers, if they have these skills.

The person who is the technology director for the Michigan Education Department is a man named Jamey Fitzpatrick. He was quoted as saying:

> For every dollar we spend on computer hardware and software in kindergarten through 12th grades, I think we would be lucky if we saw five cents on the dollar spent on training and support.
>
> If we continue with those kinds of ratios we will never realize the gain in student achievement that we think technology has the potential to elicit. We obviously need to put money into training.

Mr. President, I ask unanimous consent that Senator MOSELEY-BRAUN be added as a cosponsor to the amendment.

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

Mr. LEVIN. What we do is leave most of the beneficial aspects of the underlying education IRA bill in place—first of all, that is what we don't do; what we do do, however, is we do not permit withdrawals from that IRA for K through 12. That is the most controversial part of this bill, for reasons I will get to in a moment.

The rest of the provisions of this bill we do not touch. We don't touch the expanded IRA relative to the cost of higher education. We don't touch the extension of the tax exclusion for employer-provided education assistance in this bill. We don't touch the tax exclusion for withdrawals from State tuition programs or the limited school construction provisions in this bill.

What we do, however, is not permit withdrawal from the IRA for the K through 12 expenses. We don't do that because this most controversial provision of this bill, it seems to me, is severely tilted against public schools. I want to show a chart that gives a picture of how serious this tilt is against public education in this IRA as it exists in the underlying bill.

According to the Joint Tax Committee—and we have here a letter from the Joint Tax Committee which lays out these numbers—according to the Joint Tax Committee, the majority of the tax benefit will go to the 2.9 million taxpayers with dependents in private school. The minority of the tax benefit will go to the 35 million taxpayers who have dependents in public school. So, 35 million taxpayers, those with dependents in public schools, get less than half the bill. The 2.9 million taxpayers with children in private schools get 52 percent of the benefit. Translated into dollars, in another way, the average taxpayer with a child in private school gets a $37 tax deduction in the year 2002; the public school taxpayer gets a $7 dollar deduction in the year 2002.

I want to read the provisions from the letter because that is reflected in this chart. The Joint Tax Committee says, "We estimate that of those eligible to contribute, approximately 2.9 million returns would have children in private schools. We estimate that the proposed expansion of education IRAs to withdrawals to cover primary and secondary education would extend approximately 52 percent of the tax benefit to taxpayers with children in private schools. We estimate that the average per return tax benefit for taxpayers with children attending private schools would be approximately $37 in tax year 2002. Conversely, we estimate that of the 38.3 million returns eligible, approximately 35.4 million returns would have dependents in public schools and that approximately 10.8 million of these returns would utilize education IRAs. We estimate that the proposed expansion of the education IRAs would extend approximately 48 percent of the tax benefit to taxpayers with children in public schools with an average per return tax benefit of approximately $7 in the year 2002."

I gather I have used my time, so I will not reserve the balance of it. I yield the floor, and I thank the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I yield myself 7 minutes.

I rise in opposition to this amendment. As I stated yesterday, it strikes at the heart of the Coverdell bill. It takes away the ability of parents to use educational IRAs to pay for expenses related to the schooling of their children between kindergarten and 12th grade.

Allowing parents greater resources to meet the educational needs of their young children is what the Coverdell

bill is all about. Senator LEVIN proposes to take those resources away. Instead, he wants to expand the lifetime learning credit for those who participate in technology training. No one can argue against the proposition that helping teachers become more capable in technology is a good thing. We want our students to understand the technology of the 21st century. We certainly need to ensure that our teachers are proficient as well. But this amendment is not the way to reach that goal. First, expanding the lifetime learning credit for teachers at the expense of expanding the IRAs for our children runs contrary to the needs and objectives of American families. Mothers and fathers need increased wherewithal to support their children's educational goals. Mothers and fathers need stronger, more useful IRAs. They need the ability to use more of their own hard-earned money to take care of family priorities.

The Senate recognized this fact last year when we gave parents with children in grades K through 12 the ability to use educational IRAs. Our objective was to strengthen moms' and dads' ability to get the best education possible for their children. Our objective made sense then, and it certainly makes sense today.

The Coverdell bill empowers families to make decisions that are in their best interests. It allows them to use their own resources for their own benefit. Remember, the money in question here belongs to the taxpayers. They earned it, it's theirs, they will save it, and they should be able to choose how it will be spent. Let them use it where it serves them best—on their children.

Mr. President, despite what some in this Chamber continue to argue, the education IRA is not a boondoggle for the rich. The education IRA phases out for high-income taxpayers. Because of these phaseouts, the vast majority of the benefits will go to middle-income taxpayers. According to the National Catholic Education Association, almost 70 percent of the families with children in Catholic schools have income below $35,000, and almost 90 percent of those families have incomes below $50,000. These families, along with virtually all of the 38 million American families with children in public or private elementary and secondary schools, are the families that the Coverdell bill is designed to help.

At the same time, we should all take note that two-thirds of the individual income taxes in the United States are shouldered by taxpayers earning over $75,000 per year. So one can see that the Coverdell bill is focused on those families most in need of help.

As my colleagues know, the lifetime learning credit is a provision that was included in the Taxpayer Relief Act of 1997. It allows anyone pursuing postsecondary education to take a tax credit each year equal to 20 percent of their qualified expenses. The lifetime learning credit is available to anyone who meets the income requirement. Full-time students can take the credit, as can any professional who wants to continue his or her education. And this includes teachers, engineers, or research scientists.

What Senator LEVIN proposes is to single out teachers and increase their lifetime learning credit to 50 percent for technology training. Not only would this come at the expense of students and their families, but it would be inequitable among the professions. Why should a teacher receive an increased credit for his or her additional education when an engineer is limited to the current 20 percent? More important, it emphasizes one type of teacher continuing education over another. And what is the basis of claim, for instance, that we should give a 50 percent credit for teachers to become more proficient in using and teaching technology, but only give 20 percent to those who take courses to become better reading or math instructors? Those skills are also vital to function in a society.

It is important to note that the Coverdell bill already includes a provision that allows an employee, such as a teacher, to receive, tax-free, employer-provided education assistance. In other words, the bill already encourages a school to pay for its teachers to receive training such as contemplated by the Senator from Michigan. I believe we should leave this type of policy decision to the local schools. If a school attaches a high priority to the use of technology in the classroom—and we hope they do—the school can send its teacher to a training class. The best part of all is that the teacher would not have to pay anything at all—no expenses, no taxes. Under the Levin proposal, a teacher would still end up paying half the cost of this additional education.

In summary, the Levin amendment takes the means to use expanded IRAs to educate children and it creates a more distorted and, I must say, much more complex learning credit. This is not what we want to do, Mr. President. If you ask the families of America how they would choose to use the financial resources in question, I believe the vast majority would make it clear that they want the opportunity to use their money to give them greater flexibility and power to meet the educational objectives of their family.

Mr. President, I oppose the Levin amendment. The educational IRA is the foundation of the Coverdell bill. This modification guts the bill at the expense of the children. For this reason, I oppose this amendment and urge my colleagues to do the same.

I yield the floor and reserve any time that I may have left.

Mr. COVERDELL. Mr. President, how much time remains on this amendment on both sides?

The PRESIDING OFFICER (Mr. SMITH of Oregon). Seven minutes on the Senator's side, and 5 seconds on the Democrat side.

Mr. COVERDELL. I will be very brief. I yield a minute of my time to be added to the 5 seconds of the Senator from Michigan so that the Senator from Connecticut can have a word.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. I thank my colleague.

Mr. President, I had not intended to speak on this amendment. I have an amendment coming up that I will be addressing. But I think it is such an important amendment that our colleague from Michigan has raised here. I think all of us have become much more highly sensitized to the critical importance of the generation of students in our country who are computer literate. It is no longer a question of whether or not that technology and the awareness of it is going to be important. It is critical. I have made the assertion that what keyboards and computers bring to this generation is tantamount to what a ballpoint pen brought to my generation. Any child today not completing elementary and secondary school without being computer literate is going to be totally unprepared for the 21st century economy.

Our colleague from Michigan has made it possible for the teachers of our Nation, who truly would like to become better prepared to instruct young people in the importance of this technology, to have the wherewithal to do so. This ought not to be a partisan debate in any way. It is a very thoughtful amendment, one that we all can be deeply proud of.

We are only some 500 days away from a new millennium, and Senator LEVIN has offered us a chance to make a difference for young people so that they might be able to acquire these skills. I commend him for the amendment and hope our colleagues will support it.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, certainly the amendment of the Senator from Michigan is a thoughtful one. But as has been noted by the Finance chairman, it completely makes moot a core principle of the underlying bill, and for that reason I oppose it.

I don't dispute the numbers that are demonstrated in his chart, but I would like to elaborate on them.

The education savings account essentially takes the education savings account that was celebrated and signed by the President last year, $500 per year to be saved, and it could only be used for higher education. The proposal before us takes that idea in its identical form and expands the $500 to

$2,000 and says you can use it in kindergarten through college. So it broadens the capacity of it.

These numbers refer to kindergarten through high school only and do not look at the cap in these accounts—that is very difficult to project—saved for college. That is No. 1.

No. 2, what that really means is that the tax relief, which is very modest for those that are in public school, is about $250 million over 5 years, and for those in private school it is about $250 million. There are more families using it in public schools, as is noted on the chart. About 70 percent of what we estimate to be 14 million families will use the savings account, and 70 percent of them will have children in public schools and 30 percent in private.

The reason it starts to equal itself in the distribution is that people who have children in private schools recognize that they are paying for the public schools with their property tax base and they have to pay for the private school education on top of that. So they have to save more. They have a higher bar to reach. I agree. They will therefore, likely save more, which means there will be more interest that is earned, which means they would have a higher proportion of this very small account.

In closing, I simply say that by offering a tax incentive over 5 years of $500 million-odd, which is modest in this big picture, it causes Americans to do a very big thing. They go out and save $5 billion, all of which will be used for 20 million children no matter where they are in school—public, private, or home—to help get them ready for the new century.

Mr. President, I will conclude my remarks and yield back the remainder of my time.

Mr. LEVIN. Mr. President, I don't think I have any time remaining. If I do, I will yield it. I thank my good friend for yielding that additional minute to Senator DODD, by the way. It was a generous gesture.

Mr. COVERDELL. I was very glad to do so.

If I might, Mr. President, for administrative clarification, I believe the sequence of events will be something like this. We are going to now take up the amendment being offered by the Senator from Connecticut, Senator DODD, and there will be a vote. I think the Senator would prefer that a vote occur after his debate. The Levin, Boxer, and Bingaman amendments will be stacked for early this afternoon just before the final vote. There are two more Senators who will debate following the vote of Senator DODD. I believe that is the description of the situation we have right now during the day.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 2305

(Purpose: To strike section 101, and to provide funding for part B of the Individuals with Disabilities Education Act)

Mr. DODD. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Connecticut (Mr. DODD), for himself, and Mr. LEAHY, Mr. HARKIN, Mr. KENNEDY, Mr. WELLSTONE, and Mrs. BOXER, proposes an amendment numbered 2305.

Mr. DODD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike section 101, and insert the following:

SEC. 101. FUNDING FOR PART B OF IDEA.

Any net revenue increases resulting from the enactment of title II that remain available, taking into account the provisions of this title, shall be used to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

Mr. DODD. Mr. President, I ask unanimous consent that our colleagues, Senators LEAHY, HARKIN, KENNEDY, WELLSTONE, and BOXER, be included as cosponsors of this amendment.

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

Mr. DODD. Mr. President, I have in front of me a chart which demonstrates what I think most Members of this body are familiar with; that is, the rising cost of special education in our country and the rising population of students who are requiring special education services.

Presently, for the special education needs of America, 55 percent of the cost is being borne by our States, and 35 percent is being borne by local governments and local property taxes, and roughly 10 percent by the Federal Government. It is the Individuals with Disabilities Education Act (IDEA), endorsed and supported by those of us here in Congress, which rightly encourages and provides for the inclusion of all children who require special education services in the educational process of this Nation.

It is worthy of note that at the time the U.S. Congress passed the IDEA legislation, it was recommended that the Federal Government would provide 40 percent of the costs of special education services. Several decades later, the Federal Government is presently only contributing 10 percent of the costs of special education. Mr. President, special education costs are rising. We are told nationally that these numbers are moving up. In 1991, special education costs were 17 percent of the overall education budget; they are now 19 percent of the overall education budget.

I might also point out that the amount being spent on regular education has dropped to 56 percent, down from 58 percent. Also, the population of special needs children is on the increase. The overall population of children in elementary and secondary schools has gone up about 7.3 percent in the last few years, whereas the number of children requiring special education services has jumped over 12 percent in the same period of time. We have rising costs, rising population, and the Federal commitment to special education has remained static.

I mention this because I am offering an amendment that, with all due respect to my colleague from Georgia, would take the $1.6 billion from tax proposal that would provide $37 or $7 in tax relief for private and public school families, respectively, and use that money to lower the cost at the local and State level for special education services. If the Federal Government is to meet its full commitment of 40 percent to special education, it would need to provide $16 billion to state and local school districts, more than four times the current funding.

Let me quickly add that I commend the Budget Committee and others in recent weeks and months who have actually increased spending on special education. The total commitment to States is slightly lower than $4 billion but is still substantially less than the $16 billion needed to meet the 40-percent commitment.

I believe, given the scarce funding available to us, is that we would be far wiser, with all due respect to the authors of this underlying proposal, to take that $1.6 billion and give it back to the States and local governments to reduce the rising cost of special education in this country.

We are told that the underlying bill is about choice. I argue there should be no choice when the needs of children with disabilities are involved. Private schools can simply accept or reject students that they want or don't want. If your child is a special needs child, you don't have a choice whether you would like to go to a private school. The only school system that has to take you is a public school system. Parents with children with special needs don't have those choices. Property taxpayers, sales taxpayers, and State income taxpayers don't have any choice; they have to pay their tax bills.

The only people I know of at this very moment who have a choice about education are the 100 of us in this body. We have a choice to take $1.6 billion and provide a $37 tax break for private school students and their families, a $7 tax break for the public school students and their families, or we can help state and local school districts by providing them with $320 per special needs child so that they can provide valuable special education services. That is what my amendment does. It is saying, let's make a choice with rare funding dollars and apply them to help special needs children.

Let me share how big a cost this is and point out the situation in a number of States. In Colorado, the State must pay a 60-percent share for special education services. In Connecticut, the State provides 59 percent of special education funding. In Maine, 33 percent; Michigan, 60 percent; Missouri, 60 percent; Rhode Island, 59 percent; Virginia, 68 percent. These are huge costs at the State and local level. I have one community in my State, Torrington, CT, where 2 years ago the bill was $635,000 for special education services. Two years later, it has risen to $1.3 million. Mr. President, the costs associated with special education can often be staggering.

What I am saying is, if we think this is a national goal, to do something about special education, then we ought to be willing to help our local towns and our States to reduce their share of special education costs. The $1.6 billion that my amendment would provide is not going to pay the entire bill. It is, however, a move in the right direction. But when you have very scarce funding, wouldn't it be wiser for us to make the choice here today to reduce property and State taxes, by saying here is $1.6 billion, which we know is not going to solve the whole problem, but I want to give that money back to the States, back to the local governments, to bring down the cost of special education services.

We made that promise, Mr. President. We said decades ago we would provide 40 percent of the cost of special education, and we have never provided more than 10 percent. There is a chance for us today to provide, not $37, not $7 after taxes, but a $320 per child tax break in terms of reducing the cost of providing special education services.

It seems to me this would be a far wiser way for us to spend our money. I say after-tax dollars because I think there is some confusion. Again, I say this with all due respect to the authors of the underlying bill. But the $2,000 IRA contained in Senator COVERDELL's legislation is an after-tax proposal. It provides as much as if you put $2,000 in a savings account and the interest that it earns, that is the money you get the tax break on, not the $2,000 principle. So when I say it provides a $37 and $7 tax break, those are real numbers.

Recently, I looked at what the cost of private schools is in the greater Washington, DC, area. They run anywhere from $10,000 to $17,000 annually. Why are we providing a $37 tax break for families who are already sending their children to schools that expensive when the $1.6 billion specified in this legislation could help lower property taxes and assist with special education?

Recently, when speaking with mayors in Connecticut, they often mentioned the high cost of special education services. By not contributing 40 percent of special education costs, we are pitting families against each other in these communities. I think every one of us probably knows someone, maybe in our own families, that has a special needs child. We know the concern, the fear, that a family goes through in discovering that a child requires special education services. It is a critically important issue. But I am also aware of what happens in a community where you only have a handful of special needs students and all of a sudden their services cost a bit more and people get upset because it is their tax dollars that are paying for that education. The school systems in our states need our assistance.

What we are offering here is some relief to State and local school systems. It is not total relief. We have $1.6 billion over 10 years, what are we going to do with the taxpayers' money of this country? Do we give it back to the communities in Connecticut and elsewhere that are struggling to meet the cost of special education? Or do I write a $37 check to someone who is sending their child to a school that is costing $10,000 or $13,000 or $14,000 a year? I don't know how you justify it. I don't know how I can explain to my constituents not providing some relief to their school systems for an area of great concern and importance—special education.

That is the choice I get to make here in the next few minutes. Do we take these dollars and return them to our States, return them to our towns, trying to make a real difference for special education, or do we take them to provide minor tax relief.

Now, again, let me mention briefly the role of public and private education. At this very hour, all across our country, even on the west coast where the Presiding Officer is from, children have started school. There are 53 million children in elementary and secondary schools at this very hour all across our country; 48 million of them are in public schools and 5 million are in private schools. So we are talking about $1.6 billion, $37 of which goes to students in those private schools, $7 of which goes for those in public schools.

I am a product in many ways of private education. My parents made that choice. I respect them for having made it. However, my parents never thought they should get a tax break for doing so. They understood that this Nation had a special obligation to public education and particularly the families with special needs children. I had to be accepted to the private schools I attended. They didn't have to take me. Private schools can reject anyone they want. Public schools cannot. Public schools must accept these children. And you have that family that has done everything right and, unfortunately, has a situation with a child who requires special education services, and they, of course, want that child to succeed. They don't have the choice of going to a private school. Private school is not going to take that cost on. They have to attend a public school. Let us try to provide the valuable resources specified by this legislation to our local communities to help that family receive special education services for their child, to say to the other property taxpayers in that town that we are going to provide the 40 percent of special education costs we promised we would and never have.

One hundred of us here in the next 20 minutes or 15 minutes will be given the choice of deciding which is a higher priority. It is not a question of we would like to do everything. We can't do everything. But, we have $1.6 billion and we are going to decide in the next 15 minutes where it is going to go.

Does it go toward a $37 tax break for someone who has their child enrolled in a private school, or does it come back to that community in my State and other States all across this country to provide some needed tax relief—at $320 per child—to begin the process of lowering the cost of special education services and making a difference in our towns and for these families. That is really the choice. That's the real choice we have before us today.

Mr. President, let me ask how much time I have remaining.

The PRESIDING OFFICER. The Senator has 1 minute and——

Mr. DODD. I withhold the remainder of my time.

The PRESIDING OFFICER. The Senator from Georgia has 15 minutes in opposition if he chooses to use it.

Mr. COVERDELL. Mr. President, there are so many numbers tossed around. Anybody listening to this debate must be somewhat befuddled. You try to step back from it and look at the bigger picture.

First of all, the concern of the Senator from Connecticut about the funding of special education is a real one, but he has already alluded to one of the major problems, and that is this mandate, which is one of the largest mandates in American history, ordered by the Congress on local communities in 1975, and in 1975 the promise was 40 percent of the funding would be Federal, 40 State and 20 local. Now, the other side, until 1994, was in control of the Congress and never sent the check.

Since we have been in the majority, last year we put in another $700 million. The Senate budget resolution placed special education as the top priority. Republicans are seeking an additional $2.5 billion over the next 5 years for educating children with disabilities. In fiscal year 1997, the President requested $3.6 billion for this IDEA. Our Congress provided $4 billion for it. In fiscal year 1998, the President requested $4.2 billion for this. We came up with $4.8. The President's proposal

for 1999 proposes $4.8 billion a year for IDEA. Our resolution calls for $5.3 billion, a $0.5 billion increase.

So, while the other side controlled the Congress, this promise was left unfulfilled. Since we have controlled the Congress, we have begun paying down that obligation. In the Republican BOOKS proposal, we proposed fully funding it. The Budget Committee is moving rapidly in that direction. We are not there yet. And we did it, and have been doing it, without gutting other ideas.

So the additional money my friend from Connecticut talks about that ought to be fulfilling this promise—it is being done. We are doing exactly what he has asked that we do, and—comma "and"—we are trying to help 14 million American families individually take charge and help to connect them to the education of their children. We do not think it is mutually exclusive, you have to do this or you have to do that. We are doing both. So, since we have been in the majority, and the Senator acknowledged it, we have been moving to try to fund IDEA.

This $1.6 billion that's referred to, that is tax relief over 10 years, and the $37, of course, is a statistical average, as is the $7. But it does not take into account the principal. The tax relief was only accrued because of the principal. For $37, you have to have $1,000 in the account; for $7, you have to have $250. But what it means is we will have taken this $1.6 billion in relief to the same middle-class families that the President designated last year, the same criteria, same concept, and the Joint Tax Committee tells us that because of that modest tax incentive, these 14 million families over 10 years—that is the 10-year number you are using—will save, in principal and accumulated interest, over $10 billion; 10 billion new dollars coming behind education.

These $10 billion are not public dollars. They are private. They are willfully volunteered by these families. So it means that public education will get, over the next 10 years, in support of it, $5 billion. And private will get $5 billion. And, yes, the private represents fewer families, but it still means, at the bottom line at the end of the day, that there is $5 billion flowing behind public schools all across the country and there is $5 billion flowing behind private and home schools across the country.

Those are very smart dollars, too, because they are in individual family checking accounts where people know exactly what the frailty or problem is of a given child. If it is a math deficiency, it is going to go to hire a math tutor. If it is an inner city student who does not have a home computer, it is going to purchase a home computer. If it is transportation that is needed for an afterschool program that we all want to encourage —it is smart dollars. Public dollars have a hard time doing that, going right to the problem. If it is dyslexia or special education, it will flow right to it. And no school board is going to have to raise the property tax to get ahold of this $10 billion, no State is going to have to raise income tax, and we are not having to raise taxes. This is volunteered money, and I think the value of the money is geometrically increased, it is probably worth three times other dollars because it is being driven right into the child's need.

The point we do not talk a lot about here—and they are not in these figures, either—is that the one distinction this savings account has is that it can accept contributions from sponsors—an employer, a church, a grandparent, a sister or brother, a neighbor, a benevolent association. And as people understand this and they begin to connect to these ideas, there is going to be a lot more money in those accounts than we have even envisioned.

Another point I would make about the savings account to my colleague from Connecticut, is that every time a family makes a conscious decision to open a savings account—every time they do it—there is a mental connection to that child's education. And every month, for 20-some-odd years, they will get a notice from some financial institution that tells them the condition of that child's account. It will remind them every month of the requirements and needs and will make them think about what those children need.

I can certify that to be absolutely true because my dad and I did the same thing for my sister's two sets of twins. We knew we were going to have some problems with the financial burden. So we started putting a little away. It was not a huge amount of money when they had to go to school—but it was a lot. And if this had been in place, it would have been twice what we had in that account. I think we got it up to $6,000 or $7,000. It would have been doubled. It could have been tripled if we kept it 30 years and used it for college. There is a special ed feature of this, too. Because if the child has a special educational need, it will stay with the child until he or she is 30 years old.

So, my point is this. We agree that special ed needs attention and the Congress has been a party in seeing to this, and it has created enormous problems and we are responding to it. I am just citing the numbers here. But we are doing it, along with other reforms. We are doing it with an education savings account. We are doing it with a school construction proposal. We are doing it, helping employers fund continuing education for their employees. We are doing it and we are helping support 21 States that have prepaid tuition programs for families to help get ready for the cost of higher education. Mr. President, 17 more States are coming into the picture.

We are accomplishing the funding of IDEA—which we agree is important. But we are not stopping the other changes and other ideas to help families. My colleague mentioned somewhere, I believe, around 50 million are in our elementary and secondary schools. Mr. President, 20 million of them will be beneficiaries of these accounts, half of the entire population. Some will be more; some will be less. Some will save the full amount; some will only save part of it. Some will accumulate $1,000; some will accumulate the entire amount. But they will all be helped and they will all be reminded about the needs of those children

Like I said, we are funding IDEA. We are giving parents new tools. We are giving employers new tools. We are supporting the States with prepaid tuition programs. And we are building new schools. That is the underlying motion here.

Mr. President, how much time remains on both sides?

The PRESIDING OFFICER. The Senator has 4 minutes 12 seconds. The Democratic side has 1 minute 18 seconds.

Mr. DODD. I yield a minute to my good friend from Rhode Island, and I ask unanimous consent that he be added as a cosponsor.

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

Mr. REED. Thank you very much. Mr. President, I rise in very strong support of the amendment of the Senator from Connecticut. I think it illustrates two important points.

First, the huge gap between what the Federal Government promised in terms of special education support to the States and what was delivered. Even though, as the Senator from Georgia pointed out, we are trying to do better, we can do much better. And using these resources rather than engaging in the private savings plan as the Senator from Georgia proposes, but using these resources to assist special education, I think, will be the best way to use these dollars.

The second point I think the amendment of the Senator from Connecticut illustrates is the critical role that public education plays in our country, because these students—typically these disabled students—are all public education students. Private facilities don't take these individuals typically because they can't afford them and they think they are disruptive. That is the essence of private education. They can pick and choose.

A public school cannot. We have committed ourselves in this Congress to ensure that every child in this country, regardless of ability or disability, has a free, excellent public education. But what that means in practice is that our public schools have to respond to large

numbers of special education students, something to which private education does not respond. That is, I think, at the heart of this debate.

If we are going to have a public school system that we expect to give education to all of our citizens, then we cannot siphon off resources to private education in the way that is proposed by these savings accounts. We have to match our orders and commands to the schools of America and to educate all of our citizens with resources.

This amendment does that. It preserves a program that we have all stood up and said is vitally important to this country, both educationally and socially—and that is special education—and it does so by reinforcing public education. That is the way we should proceed.

I commend the Senator from Connecticut for his efforts in regard to this amendment today.

Mr. DODD. I thank my good friend from Rhode Island. Mr. President, I understand there will be a point of order raised against this amendment. I regret that, because I am not asking to spend any more money than the underlying amendment does, but I realize this is a point of order that will be sustained. I will make an appropriate motion to vote on that.

I am sorry that is going to be the case, because I really do believe that this is the one opportunity, a chance, after we all talked about trying to do something, about reducing the cost to communities, to make the choice to do so. But I need 60 votes, I am afraid, to prevail on all of that. When the appropriate motion is made, I will respond to it. I hope that will not be the case. I hope we can have an up-or-down vote as we have had on every other amendment.

I believe my time has expired, and if it has, I believe my colleague wants to make an appropriate motion.

Mr. COVERDELL. Mr. President, has the proponents' time expired?

The PRESIDING OFFICER. It has expired.

Mr. COVERDELL. Mr. President, I do not believe we need to be in a dilemma where it is either/or—do this and not the education savings account, or do the other.

The Senator from Connecticut is correct that I will raise a point of order. The Congressional Budget Office has told us this amendment creates a new entitlement for special education, a program which has always been discretionary since its creation in 1985. This spending would be charged to the Finance Committee, which has already exceeded its allocation.

Therefore, we conclude that amendment No. 2305, offered by my colleague from Connecticut, Senator DODD, violates section 302(f) of the Congressional Budget Act because it provides for an increase to direct spending beyond the allocation of the committee of jurisdiction. I, therefore, raise a point of order under section 302(f) of the Budget Act against this amendment. I assume my colleague will move to waive.

MOTION TO WAIVE THE BUDGET ACT

Mr. DODD. Mr. President, I move to waive the Budget Act so that the amendment may be considered. I ask for the yeas and nays.

Mr. COVERDELL. I yield back my time in order to facilitate the two motions.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. DEWINE). The question is on agreeing to the motion to waive the Budget Act with respect to amendment No. 2305, offered by the Senator from Connecticut. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Colorado (Mr. CAMPBELL) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 46, nays 53, as follows:

[Rollcall Vote No. 98 Leg.]

YEAS—46

Akaka	Feinstein	Levin
Baucus	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Breaux	Harkin	Moynihan
Bryan	Hollings	Murray
Bumpers	Inouye	Reed
Chafee	Jeffords	Reid
Collins	Johnson	Robb
Conrad	Kennedy	Rockefeller
D'Amato	Kerrey	Sarbanes
Daschle	Kerry	Torricelli
Dodd	Kohl	Wellstone
Dorgan	Landrieu	Wyden
Durbin	Lautenberg	
Feingold	Leahy	

NAYS—53

Abraham	Frist	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Roberts
Biden	Grassley	Roth
Bond	Gregg	Santorum
Brownback	Hagel	Sessions
Burns	Hatch	Shelby
Byrd	Helms	Smith (NH)
Cleland	Hutchinson	Smith (OR)
Coats	Hutchison	Snowe
Cochran	Inhofe	Specter
Coverdell	Kempthorne	Stevens
Craig	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Enzi	Mack	Warner
Faircloth	McCain	

NOT VOTING—1

Campbell

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 53. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, it is my understanding that in the regular order we will now go to the amendment to be offered by the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 15 minutes.

AMENDMENT NO. 2306

(Purpose: To improve academic and social outcomes for students by providing productive activities during after school hours)

Mrs. BOXER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself, Mrs. MURRAY, Mr. BINGAMAN, Mr. JOHNSON, Mr. LIEBERMAN, Mr. SARBANES, Mr. KERRY, Mr. DODD, Mr. DURBIN, Mr. LEVIN, Mr. AKAKA, Mr. KOHL, Mr. WELLSTONE, Mr. BRYAN, Mr. KENNEDY, Mr. INOUYE, Mr. DASCHLE, and Ms. MOSELEY-BRAUN, proposes an amendment numbered 2306.

Mrs. BOXER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end, add the following:

TITLE ___—AFTER SCHOOL EDUCATION AND SAFETY

SECTION ___01. SHORT TITLE.

This title may be cited as the "After School Education and Safety Act of 1998".

SEC. ___02. PURPOSE.

The purpose of this title is to improve academic and social outcomes for students by providing productive activities during after school hours.

SEC. ___03. FINDINGS.

Congress makes the following findings:

(1) Today's youth face far greater social risks than did their parents and grandparents.

(2) Students spend more of their waking hours alone, without supervision, companionship, or activity than the students spend in school.

(3) Law enforcement statistics show that youth who are ages 12 through 17 are most at risk of committing violent acts and being victims of violent acts between 3 p.m. and 6 p.m.

SEC. ___04. GOALS.

The goals of this title are as follows:

(1) To increase the academic success of students.

(2) To improve the intellectual, social, physical, and cultural skills of students.

(3) To promote safe and healthy environments for students.

(4) To prepare students for workforce participation.

(5) To provide alternatives to drug, alcohol, tobacco, and gang, activity.

SEC. ___05. DEFINITIONS.

In this title:

(1) SCHOOL.—The term "school" means a public kindergarten, or a public elementary

school or secondary school, as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(2) SECRETARY.—The term "Secretary" means the Secretary of Education.

SEC. ___06. PROGRAM AUTHORIZED.

The Secretary is authorized to carry out a program under which the Secretary awards grants to schools to enable the schools to carry out the activities described in section ___07(a).

SEC. ___07. AUTHORIZED ACTIVITIES; REQUIREMENTS.

(a) AUTHORIZED ACTIVITIES.—

(1) REQUIRED.—Each school receiving a grant under this title shall carry out at least 2 of the following activities:

(A) Mentoring programs.

(B) Academic assistance.

(C) Recreational activities.

(D) Technology training.

(2) PERMISSIVE.—Each school receiving a grant under this title may carry out any of the following activities:

(A) Drug, alcohol, and gang, prevention activities.

(B) Health and nutrition counseling.

(C) Job skills preparation activities.

(b) TIME.—A school shall provide the activities described in subsection (a) only after regular school hours during the school year.

(c) SPECIAL RULE.—Each school receiving a grant under this title shall carry out activities described in subsection (a) in a manner that reflects the specific needs of the population, students, and community to be served.

(d) LOCATION.—A school shall carry out the activities described in subsection (a) in a school building or other public facility designated by the school.

(e) ADMINISTRATION.—In carrying out the activities described in subsection (a), a school is encouraged—

(1) to request volunteers from the business and academic communities to serve as mentors or to assist in other ways;

(2) to request donations of computer equipment; and

(3) to work with State and local park and recreation agencies so that activities which are described in subsection (a) and carried out prior to the date of enactment of this Act are not duplicated by activities assisted under this title.

SEC. ___08. APPLICATIONS.

Each school desiring a grant under this title shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each such application shall—

(1) identify how the goals set forth in section ___04 shall be met by the activities assisted under this title;

(2) provide evidence of collaborative efforts by students, parents, teachers, site administrators, and community members in the planning and administration of the activities;

(3) contain a description of how the activities will be administered;

(4) demonstrate how the activities will utilize or cooperate with publicly or privately funded programs in order to avoid duplication of activities in the community to be served;

(5) contain a description of the funding sources and in-kind contributions that will support the activities; and

(6) contain a plan for obtaining non-Federal funding for the activities.

SEC. ___09. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this title $50,000,000 for each of the fiscal years 1998 through 2002.

SEC. ___10. SENSE OF THE SENATE.

It is the sense of the Senate that funding to carry out this title should be provided by a reduction in certain function 920 allowances, as such reduction was provided in the Senate-passed budget resolution for fiscal year 1999.

Mrs. BOXER. Mr. President, I ask that the Chair inform me when I have used 8 minutes.

Mr. President, I am very pleased to offer my After School Education and Safety Act as an amendment to the Coverdell bill. I want to mention those who are original sponsors of this legislation. They are: Senators MURRAY, BINGAMAN, JOHNSON, LIEBERMAN, SARBANES, KERRY from Massachusetts, DODD, DURBIN, LEVIN, AKAKA, KOHL, WELLSTONE, BRYAN, KENNEDY, INOUYE, DASCHLE, and MOSELEY-BRAUN. I mention them because I am very proud of their support for this very important measure.

This is not a new issue. I presented this plan to the entire Senate during the budget markup, and I am very pleased to tell you that my amendment was adopted unanimously. I think most Senators understand the fact that after-school programs are very important for two reasons. First of all, our children need the mentoring help, our children need the attention, and our children need the community support after school because it really increases their academic achievement.

Secondly, the FBI has told us that from the hours of 3 p.m. to 6 p.m., juvenile crime goes way up because our children are joining gangs, and they are getting into trouble after school. We need to do something to keep them busy and to keep them out of trouble. That is why I believe I got such unanimous support for this legislation during the budget debate. We have set aside $50 million in the budget for this program. Now we have a chance to authorize it.

I am very hopeful that my colleagues on both sides of the aisle will now follow though on the commitment they made in the budget resolution.

Mr. President, in this picture you can see some of the faces of what we are talking about. These are children in a California after-school program in Sacramento. You can see from the looks on their faces how excited they are about the work they are doing after school.

We have some others pictures to show you. This picture shows some of the valuable mentoring that occurs in this after school program. These children are working in small groups with a teacher or volunteer. These children are learning a tremendous amount. In fact, the academic performance of these students has dramatically increased as a result of the attention that they are getting after school.

Here are some pictures of the children learning music. There was a new study that just came out yesterday that says that children who engage in musical activities achieve higher levels of academic success. I see that our majority leader is on the floor. He had a group of singing Senators and I think he realizes the value of music. Music promotes camaraderie and brings us together.

Here we see the children learning how to play the drums in an after-school setting.

Finally, I have a picture of children working with one of the law enforcement officers who come into these programs.

Whether it is L.A.'s Best or Sacramento Start, whether it is the Tenderloin Program in San Francisco, or our after school program in Oakland, all of these after school initiatives desperately need some attention from our National Government. There is not one program in the Department of Education that is exclusively for after school, not one.

Through my amendment we have an opportunity to improve the Coverdell bill, a bill that started off as a very simple bill. Unfortunately, I think that this bill is turning into an anti-education bill. I have to say that with a heavy heart because I really thought that we would have some bipartisanship.

But what has happened to this bill? I think what we have before us is a bill that has been amended in such a way that it does great damage to our children. Let me explain what I mean.

We had a number of amendments that were rejected out of hand—amendments to try to rebuild our schools. I understand why Senators who like the underlying bill voted against that, but they have not reached across the aisle to try to come up with any compromise on it at all.

Our kids are facing schools that are crumbling. We do nothing. We reject it out of hand. We don't work for compromise. We say no. We had an amendment simply expressing support for reducing class sizes that was only debated for 3 minutes. That amendment passed. But then someone changed the vote, and we rejected that. If you ask parents all over this country, they will tell you that they want smaller class sizes.

So what provisions do we accept? We also voted on an amendment that essentially will prohibit the implementation of a program to test our students so parents will know if their kids are doing well or doing poorly and schools can be held accountable. To this, we say yes. To me this is unbelievable. We have an education bill here is that is turning into an anti-education bill, an antiparent bill, an antistudent bill. We

also have other amendments that did away with a whole series of programs and made them optional for schools.

When Neil Armstrong landed on the Moon he said it was "one small step for man, one giant leap for mankind." This bill was one, tiny step forward for education, and it has become a huge step backward for education.

Listen to the list of the nationally recognized programs that are done away with summarily in this bill.

Critical programs for disadvantaged kids including Title I; School to Work; Goals 2000; STAR schools; education technology; Eisenhower professional development, which is teacher training; safe and drug-free schools; magnet school assistance; telecommunications demonstration project for math skills, a fund for the improvement of education. The Javits gifted and talented education funding to support programs for special children is done away with. The Eisenhower regional math and science consortium is done away with. If you read President Eisenhower's comments on what we ought to do in education in the 1950's, he said, "It takes more than guns to make us strong." We need strong kids and we need them to learn. Yet now we are doing away with the Eisenhower program.

We are eliminating the International Education Exchange, which supports educational exchange programs. That is what the Gorton amendment did away with, or made it optional. The Gorton amendment took the National Government completely out of education. Education is the most important thing in the world, and this bill is a giant step backward.

We can improve this bill a little bit if we support the Boxer amendment to support education and reduce juvenile crime.

I told you before that juvenile offenders commit crimes between the hours of 3 p.m. to 6 p.m. That is why the police in my home state are supporting the Boxer amendment. This includes bipartisan support from the chiefs of police of many, many cities in my State. California law enforcement understands that when it comes to our children, we shouldn't seek party lines. That is why I hope people will vote for this.

Let's hear what the police chief from Los Angeles says about the need to invest in our children:

> Police leaders know that America's commitment to putting criminals in jail must be matched by its commitment to keeping kids from becoming criminals in the first place.

Here is another quote from our law enforcement officials.

"Crime Fighters Support After-School Programs":

> We . . . call on all public officials to protect public safety by adopting commonsense policies to: Provide for all of America's school-age children and teens after-school programs, and access to weekend and summer . . .

This statement is very, very clear. The organization that made this statement—Fight Crime, Invest in Kids—has 170 of the Nation's leading police chiefs, sheriffs, and prosecutors. Across the country law enforcement officials support after school programs.

Mr. President, I am hopeful that we will see a little bipartisanship. You all voted for it in the budget. You know what we did. We cut Government travel to pay for this initiative to fund 500 after school programs. The local school districts will design them. They will pull in community groups like Big Brothers and Big Sisters. They will bring in the business community.

Mr. President, we can keep our kids learning and keep them out of trouble. There is no magic solution to solve all the problems that our Nation is facing in terms of crime. But if we had to choose one way to fight crime it should be to keep our kids engaged when they are in school.

I really look forward to this vote. I hope it will be bipartisan.

I yield 2 minutes to my friend, Senator JOHNSON.

The PRESIDING OFFICER. The Senator from California has 4 minutes 10 seconds remaining.

Mrs. BOXER. I retain the remainder.

Mr. JOHNSON. Mr. President, I thank the Senator from California and applaud her great leadership on what I think is one of the critical issues in our Nation today.

I think it needs to be emphasized that the after-school program amendment being offered by Senator BOXER is not an alternative to the underlying Coverdell bill. Unlike other amendments that we have considered today, this is an add-on that is independent of the funding that is committed to the Coverdell legislation.

I have been holding meetings all around my State of South Dakota, which is an overwhelmingly rural State. The Senator from California represents a State with large urban areas. One of the things that we share is a very strong sense from parents, from child care providers, teachers and school administrators, and from everyone who follows this issue that after-school programs are among the most important items on which we should focus our attention.

In fact, the Republican Governor of my State has played a leading role in our State in trying to better utilize our school resources, recognizing that working moms are a larger and larger percentage of the work force. Welfare is pushing more and more people, mostly working moms, into the workplace because we have provided bipartisan support for that goal. We have increasing numbers of latchkey kids in all of our communities, large and small. After-school programs for these children are either nonexistent or far too expensive. We have studies from our law enforcement officials indicating overwhelmingly that between the hours of 3 to 6 in the afternoon is the greatest amount of juvenile crime, alcohol and drug experimentation, and sexual experimentation. All this takes place because we have an entire generation of young people in unsupervised settings, and these problems are becoming more widespread.

I applaud Senator BOXER and her effort to come up with an amendment that not only addresses this key issue but does it in a way that does not create new Federal bureaucracy, does not federalize anything but instead utilizes local resources, leaves the options and the administration and the decisions at the local level. Because of all of these strong reasons, I think this is a very positive and constructive contribution to the underlying legislation, and I certainly again applaud the Senator's leadership, and yield back the time to her.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. BOXER. I thank the Senator.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

The Senator from Georgia.

Mr. COVERDELL. Mr. President, we have just been joined by the Senator from Arkansas, who I believe rises in opposition to this amendment. I yield up to 5 minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. I thank the Senator from Georgia.

I rise to speak in opposition to the Boxer amendment. My concern is that while there is, without doubt, an acknowledged need for after-school care and an acknowledged need for mentoring and tutorial-type programs, this would be taking the wrong step in the wrong direction and would create another Federal program, which, in my estimation, would be highly duplicative of existing programs, a multiplicity of Federal programs that already have been created for this purpose.

School districts already have the authority to establish after-school learning centers, many already financed, and will benefit from additional provisions of this year's budget for after-school programs.

Let me give just a few examples. The 21st Century Community Learning Centers Act provides $40 million for rural and inner-city public schools to establish after-school programs. The Safe and Drug-Free Schools Act allows money to be spent on after-school programs with a drug and violence prevention component. The child care development block grant and the community development block grant also provide money for child care, including

after-school care. The Juvenile Justice Act will also target millions of dollars on prevention programs, including mentoring programs and after-school programs. It has already passed the House. These are just to give a few examples.

So I, once again, must object to the philosophy underlying the Senator's amendment to create another Federal program. While I agree that one-on-one mentoring and tutoring is valuable, it will help improve educational achievement of students, such tutoring is already allowable under at least 19 other Federal programs.

So I have listed a number of programs in which we have after-school care provided. There are 19 programs that have tutoring and mentoring components: AmeriCorps, Learn and Serve, VISTA, JUMP, the Juvenile Justice Mentoring Program, CAMP, the Migrant Education Mentoring Program, TRIO, are all examples of existing mentoring and tutoring programs that are out there already.

The Senator's amendment, in my estimation, would simply duplicate these existing programs. In addition, we find there are a great many volunteer organizations that are providing and supplying after-school care currently. We are going to prohibit them, exclude them from the possibility of even applying for, competing for these grants. And so I think that is a serious, serious weakness in the amendment as well. Organizations like the YMCA would be ineligible to compete for the grants even though they currently are doing a tremendous job in providing after-school care in many cities and many school districts. So to say it has to be school-based, run through the school, I think would unfairly exclude those that are currently doing such a great job.

The application described in Senator BOXER's amendment is a laundry list of paperwork. Read the amendment: identify goals, provide evidence of a collaborative effort, describe how the program would be administered, demonstrate how the activities will utilize or cooperate with programs, describe sources of other funds, provide a fundraising plan. All of these will require more bureaucrats, more administration, more reports, additional costs, and it would in all of that duplicate what we already have out there.

I think it is the wrong thing for us to establish another Federal program when we have good programs there that need additional resources. We do not need to dilute that, diminish that by starting another Federal program for after-school care for tutoring and mentoring.

So I ask my colleagues to consider this, do not just vote for an amendment because it has a good purpose, because it has a good goal in mind. Consider seriously that this program will be competing with a whole host of Federal programs already designed to meet this need in our schools and among our young people. I think that need is being met, and it would be a mistake for us to create more bureaucracy and a new Federal program. I hope my colleagues will oppose the Boxer amendment.

I thank the Senator from Georgia for yielding this time.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I wonder if the Senator will yield for a question. As I understand what the Senator is saying, we have sort of gotten ourselves into this difficulty over the years by creating another program and another program. How many programs did the Senator say we already have?

Mr. HUTCHINSON. There are 19 existing programs for mentoring and tutoring on the books as well as a whole host of programs dealing with after-school care.

The PRESIDING OFFICER. The Chair would advise the Senator from Georgia has 10 minutes.

Mr. COVERDELL. I appreciate that, Mr. President.

In reading the amendment, it appears to me this establishes a direct link between the Department of Education—Federal—and a school. I do not see from reading this that the grant process would run through the State's board of education or the district board of education. This would be school to the Secretary.

Mr. HUTCHINSON. That is my understanding as well, which is another step I believe in federalizing our local schools and removing the control ultimately from the local schools.

Mr. COVERDELL. I did think that was a philosophical problem, but I think the more important issue that the Senator raises is this layering and layering and layering. We are struggling with that in every component of the Government. I don't know how many programs we have for students. It just seems that we keep coming up with one after another after another.

Mr. HUTCHINSON. With another new program, there is another layer of bureaucracy, another level of bureaucracy created. It really dilutes the resources we have actually getting to those kids who are in need of after-school caring and one-on-one tutoring.

Mr. COVERDELL. I appreciate the remarks of the Senator from Arkansas. I do want to address several of the remarks that were made by the Senator from California with regard to the legislation in general.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 8 minutes 30 seconds.

Mr. COVERDELL. And the Senator from California?

The PRESIDING OFFICER. The Senator from California has 2 minutes.

Mr. COVERDELL. Mr. President, the Senator indicated that the underlying legislation could actually be harmful. I am puzzled by that statement, somewhat stunned. And that we have not reached out.

The first point I make is that the underlying legislation, in great part, has been designed by a colleague of the Senator from California, Mr. TORRICELLI, of New Jersey, who sits right next to her. The underlying proposal has a significant component for new school construction. The legislation was designed and offered in the Finance Committee by the Senator from Florida, Mr. GRAHAM, on the other side of the aisle. The underlying proposal has a very key provision to enforce or reinforce States that have prepaid tuition to help children meet college costs, and that was designed by Senator BREAUX, of Louisiana, on the other side of the aisle. The underlying provision has a key component to help employers help employees who need continuing education, and that was either designed by Senator MOYNIHAN from New York or Senator BREAUX from Louisiana.

So the underlying proposal, if you really want to add up just the financial impact, is 80 percent designed by the other side of the aisle and about 20 percent from our side. I guess in the general division of the issues, it is about 50/50. But the underlying proposal will make available to 14 million families and half the school population of the United States, or thereabouts, the benefits of education savings accounts that their parents or sponsors can open; will reinforce the prepaid tuition programs of 21 States in the Union, 17 of which are coming on board; will support continuing education for 1 million employees, 1 million students in these prepaid tuition programs, and 250,000 graduate students.

I know we can have our differences about how to confront the issue of education. It is good that we are having the debate. We all want to improve it. We all want to get ready for the new century. But I don't think it is accurate to suggest that the underlying proposition would be harmful, A, or, B, that it is a partisan instrument, because it just is not.

Mr. President, how much time remains on my side?

The PRESIDING OFFICER. The Senator from Georgia has 5 minutes 15 seconds.

Mr. COVERDELL. I reserve the remainder of my time.

Mr. LEAHY. Mr. President, I rise today in support of Senator BOXER's amendment to the Education IRA bill because it will ensure schools across our nation have the additional resources they need to establish and expand after-school programs for school-aged children. With more and more parents of school-aged children working outside the home, we, as a nation,

must make a commitment to our children to ensure they have safe and supervised places to be during the after-school hours. This amendment would provide much-needed funding to schools to set up such programs in their buildings or other public facilities, a cost-efficient way to provide children and teens with activities after the school bell rings.

With youth at most risk of getting into trouble between 3 and 8 p.m., this additional funding will help keep teens out of trouble during these critical hours. I know how effective and important after-school programs are, parents around the country know it and our law enforcement officers know it. In fact, a recent survey of nearly 800 police chiefs from across the nation found that 90 percent of the chiefs viewed prevention as a key factor in reducing our nation's juvenile crime rates. In my opinion, the best crime reduction strategy is one which prevents crime from happening. The $250 million authorized in this amendment is a good investment, not only because it will provide children with a safe haven, but also because it will likely lead to reduced crime rates in neighborhoods which choose to implement or expand their after-school programs.

I am particularly pleased with the flexibility provided in Senator BOXER's amendment. While no school is required to participate, those which do may use the funds for children of any age—from kindergarten through high school. Those schools which choose to participate would also have the flexibility to decide what sort of programs to offer. For example, schools receiving grants could engage in mentoring activities, tutoring or academic assistance programs, recreational activities or technology training. So long as a school offers at least two of these activities, it would meet the grant's eligibility requirements. Schools could also offer drug or alcohol prevention programs, gang prevention programs, health and nutrition counseling and job skills training. These broad categories of activities will allow the local schools to decide how their children spend their after-school hours while ensuring that the children and teens are engaged in productive activities.

Vermont is fortunate to have a wide variety of after-school programs available for children, both on and off school campuses. I have been working to ensure this diversity of programs continues. But, I hear again and again from parents in Vermont that we need more after-school programs for our state's children. Senator BOXER's amendment would ensure one piece of the puzzle is better funded—after-school programs on school and public property. I plan to continue pushing for other resources for after-school, evening and weekend programs, including in S.10, the Violent and Repeat Juvenile Offender Act of 1997. As the Ranking Member of the Judiciary Committee, I have been fighting hard to ensure that S.10 has dedicated funding for a variety of crime prevention programs. Senator BOXER's amendment is a perfect complement to these ongoing efforts.

The PRESIDING OFFICER. Who yields time? The Senator from California.

Mrs. BOXER. Mr. President, I ask for a minute of my time to say simply that Senator COVERDELL criticizes my proposal because it is a new program when he in fact is putting forward a new program. The issue is not about creating a new program. He doesn't like this program, he likes his.

Senator COVERDELL's proposal gives the average private school household a $37 a year benefit; if you are in public school, you fare worse, $7 a year. And he likes the program. That is fine. But he doesn't talk about these deleterious amendments that have made this a very dangerous bill by canceling 20 programs that help our children read and learn. Programs created by President Eisenhower, Senator Javits, tried and true programs, are canceled, put in a block grant to let the locals do what they want.

The fact is, the local districts like these programs yet this bill seeks to eliminate them. Other programs supported by local districts are rejected out of hand. The Senate rejects putting more teachers in the classroom; rejects any national testing. This is a bill that has now been amended in such a fashion it does harm to our children.

The PRESIDING OFFICER. The Senator's 1 minute has expired.

Mrs. BOXER. I reserved that 1 minute, if the Senator will take his time now.

Mr. COVERDELL. Please proceed.

Mrs. BOXER. All right, we will do that. I just ask the Senator, since he has 5 minutes and I have a minute, if I feel compelled, will he give me an additional 60 seconds to respond to his concluding remarks?

Mr. COVERDELL. I will be glad to yield a minute of my time to the distinguished Senator from California.

Mrs. BOXER. The Senator is a good debater, so I want to have that opportunity.

But I also want to respond to the Senator from Arkansas. I am sorry he is no longer in the Senate chamber. He has criticized this after-school program because it is a new program. In actuality this is not a new program. The after school programs that would be funded by this amendment are going on. The local districts are doing a great job, but they need help, and more want to do this.

The Senator from Arkansas criticizes this program yet his side of the aisle agreed to it unanimously in the budget. We already debated this Boxer amendment, this exact same thing, in the budget resolution. The Senator from Arkansas didn't object to it then.

In addition the Senator from Arkansas cites a lot of programs that could fund after school initiatives, but those programs are not exclusively for after school; they also could fund senior citizens, parenting skills, or employment counseling. There is no direct program that responds to the fact that after school the crime rate soars and doesn't stop until mom and dad get home.

Do you know how we pay for this program? By cutting the travel budget for bureaucrats. This seems a reasonable price to pay to protect and educate our children after school.

The PRESIDING OFFICER. The Chair will advise the Senator she has 1 minute.

Mrs. BOXER. Do I have 1 minute remaining?

The PRESIDING OFFICER. The Senator has used her minute. She has a minute of the Senator from Georgia.

Mrs. BOXER. Thank you, Mr. President. I will withhold until my colleague completes his remarks.

Mr. COVERDELL. I assume I have somewhere in the range of 4 minutes?

The PRESIDING OFFICER. The Senator has 4 minutes left.

Mr. COVERDELL. Mr. President, the first point I want to reiterate is, we do have to acknowledge, apart from the amendments, that the points I made a moment ago are all in the underlying bill: Education savings accounts for 14 million families, 20 million children. And I might point out, those savings accounts will bring—when you use the figures $37 and $7, you are only talking about the interest that is saved because we didn't tax it in a given year.

When you talk about the savings accounts, you have to look at the principal, and what happens is, when we create them, Americans do very big things and they go out and save, over a 10-year period, $10 billion. That $10 billion—$5 billion will support students in public schools and $5 billion will support students in private schools, without us having to raise another dime. No taxes have to be raised, no property tax, no income tax. This is families stepping forward with a huge infusion of money. We are building new schools; we are helping employees with continuing education; we are helping millions of students with the costs of higher education.

To the amendment that the Senator has addressed, let me just say first, the amendment permitting block grants is totally voluntary; no one is required to do anything. It is a 3-year experiment that says if California wants to keep the system the way it is, fine. If they would like to experiment with the block grant, they might do that. If they want to experiment with the grant going directly to the school district, they might. But nothing is ordered.

Frankly, I am one of those who thinks the Federal system has become so ensnarled that it severely constrains and restricts local communities. We had a story here just the other day of a person—they couldn't build new classrooms. They needed new teachers, but they had to have the classrooms to reduce class size. Because of Federal constraints, they couldn't get it done. I think the idea of loosening the flexibility is good.

With regard to testing, it is very controversial. There are many of us who believe national tests will set national curricula and that national tests will be designed to enforce our current—could even be designed to ratify the current crisis we have.

My only question about national testing is this. Every week I read about the condition of our fourth graders, our eighth graders, how we compete with the international community. I do not find a shortage in this country of understanding the crisis we have in grades kindergarten through high school. We know a third of the students get there and can't read right. We know only four out of ten of the students in inner-city schools can't pass a basic exam. We know if we take all the schools and put them together, only 6 out of 10 can pass a basic exam. We don't need any more testing. We need some innovation. We need some change and reform like we are talking about. We know what is happening. We are losing, as we come to the new century.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator has 20 seconds remaining.

Mr. COVERDELL. I yield back my 20 seconds and dedicate my final minute to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. My colleague is very generous. I thank him. In rapid fire, I will try to respond.

The underlying bill really does no harm. As amended, this bill does a huge amount of harm, because it takes the National government out of the whole issue of education for our children. It takes us backward, away from visionaries like President Eisenhower, who said the strength of the Nation lies in its children. The National Government, if it truly cares about its children, should fill the gaps that are identified by local government. And that is what is done away with in the Gorton amendment.

Essentially, the Gorton amendment is saying to the people that education is not important on the national level. We know if we scratch the surface, many of our colleagues don't want a Department of Education. That is what this is about. This takes away 75 percent of the Department of Education's ability to at least in some way engage in the educational programs helping children in kindergarten through grade twelve. And to say that our children don't need any testing—you just ask the parents if they want testing. How can we talk about accountability without voluntarily testing?

So, in closing, I thank my friend for his generosity. I hope we will support this modest bill, to bring down the crime rate and lift up our children. It is paid for in the budget, and I look forward to a bipartisan vote.

I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I move to table the amendment of the Senator from California.

I think we are going to set the amendment aside for a stacked vote. I withdraw my motion and will make the motion at the appropriate time. We will be moving to debate on the Bingaman amendment.

Mrs. BOXER. Will the Senator yield?

Mr. COVERDELL. Yes.

Mrs. BOXER. I just want to guarantee that we will have a vote on a tabling motion or an up-or-down vote.

Mr. COVERDELL. We will.

Mrs. BOXER. I have the Senator's word, and I am pleased with that. Thank you.

UNANIMOUS CONSENT AGREEMENTS

Mr. COVERDELL. Mr. President, I ask unanimous consent that following the debate on the Bingaman amendment, it be in order for Senator COVERDELL to offer a first-degree amendment regarding reading excellence. I further ask unanimous consent that no amendments be in order to either amendment and, finally, that the vote occur on, or in relation to, the Coverdell amendment prior to the vote on, or in relation to, the Bingaman amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. COVERDELL. Mr. President, I ask unanimous consent that following the vote on, or in relation to, the Levin second-degree amendment, if the Levin second-degree amendment is defeated, the Senate proceed to the immediate consideration of the Levin first-degree amendment, as amended by the Ashcroft amendment, and the Levin first-degree amendment be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENTS NOS. 2298 AND 2307, EN BLOC

Mr. COVERDELL. Mr. President, I ask unanimous consent that it be in order at this time to offer two amendments en bloc, an amendment on behalf of Senator MCCAIN on multilingualism and an amendment on behalf of Senator DORGAN regarding safer schools.

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

Mr. COVERDELL. Mr. President, I ask unanimous consent that following the reporting of the amendments, the amendments be agreed to and the motions to reconsider be laid upon the table, en bloc, and that any statements relating to these amendments appear at the appropriate place in the RECORD.

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

The clerk will report the amendments.

The bill clerk read as follows:

The Senator from Georgia [Mr. COVERDELL] proposes amendments numbered 2298 and 2307.

The amendments are as follows:

AMENDMENT NO. 2298

(Purpose: To provide for a study of multilingualism in the United States)

At the appropriate place, insert the following:

SEC. ___. MULTILINGUALISM STUDY.

(a) FINDINGS.—Congress finds that even though all residents of the United States should be proficient in English, without regard to their country of birth, it is also of vital importance to the competitiveness of the United States that those residents be encouraged to learn other languages.

(b) RESIDENT OF THE UNITED STATES DEFINED.—In this section, the term "resident of the United States" means an individual who resides in the United States, other than an alien who is not lawfully present in the United States.

(c) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States (referred to in this section as the "Comptroller General") shall conduct a study of multilingualism in the United States in accordance with this section.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The study conducted under this section shall ascertain—

(i) the percentage of residents in the United States who are proficient in English and at least 1 other language;

(ii) the predominant language other than English in which residents referred to in clause (i) are proficient;

(iii) the percentage of the residents described in clause (i) who were born in a foreign country;

(iv) the percentage of the residents described in clause (i) who were born in the United States;

(v) the percentage of the residents described in clause (iv) who are second-generation residents of the United States; and

(vi) the percentage of the residents described in clause (iv) who are third-generation residents of the United States.

(B) AGE-SPECIFIC CATEGORIES.—The study under this section shall, with respect to the residents described in subparagraph (A)(i), determine the number of those residents in each of the following categories:

(i) Residents who have not attained the age of 12.

(ii) Residents have attained the age of 12, but have not attained the age of 18.

(iii) Residents who have attained the age of 18, but have not attained the age of 50.

(iv) Residents who have attained the age of 50.

(C) FEDERAL PROGRAMS.—In conducting the study under this section, the Comptroller General shall establish a list of each Federal

program that encourages multilingualism with respect to any category of residents described in subparagraph (B).

(D) COMPARISONS.—In conducting the study under this section, the Comptroller General shall compare the multilingual population described in subparagraph (A) with the multilingual populations of foreign countries—

(i) in the Western hemisphere; and

(ii) in Asia.

(d) REPORT.—Upon completion of the study under this section, the Comptroller General shall prepare, and submit to Congress, a report that contains the results of the study conducted under this section, and such findings and recommendations as the Comptroller General determines to be appropriate.

Mr. MCCAIN. Mr. President, I rise today to offer an amendment which would mandate a study of multilingualism in the United States. This amendment would direct the Comptroller General of the United States to identify, examine and analyze the number of individuals who are proficient in English, but are also proficient in one or more additional languages.

I believe that we can all agree that it is imperative for everyone in the United States to be fluent in English in order to succeed in today's society. This is why we need to continue encouraging all members of our society to be fluent in the English language. However, I believe it is equally important for us to encourage all members of our society to understand English—Plus one or more additional languages. Currently, I am working with members of the Hispanic task force in this effort to stress the importance of speaking English—Plus other languages. This study of multilingualism is a practical step in our efforts to encourage English—Plus the knowledge of many other languages.

As I have stated, English is clearly the common language in the United States and is an important aspect of our society and individual success. However, it is equally important that we encourage and support efforts by individuals to become proficient in additional languages and broaden their opportunities for success.

I wholeheartedly applaud people who have the capability to communicate in multiple languages. Not only do they posses valuable language skills, but their knowledge of various languages affords them a multitude of opportunities economically, socially, professionally and personally.

The ability to speak one or more languages, in addition to English, is a tremendous resource to the United States because it enhances our competitiveness in global markets by enabling improved communication and cross-cultural understanding while trading and conducting international business. In addition, multilingualism enhances our nation's diplomatic efforts and leadership role on the international front by fostering greater communication and understanding between nations and their people.

Foreign language skills also serve as a powerful tool for promoting greater cross-cultural understanding between the multitude of racial and ethnic groups in our country.

The data collected from the study required by this legislation would enable us to identify the linguistic strengths and weaknesses in our society. Based upon this study we would be able to develop innovate initiatives which would promote the importance of foreign language skills, while providing a basis for expanding our nation's linguistic abilities.

The information we gather from this study will be invaluable in many aspects of our society. It is important that we encourage and support everybody, no matter what their age, in learning one or more languages in addition to English, since the opportunities which exist for individuals who can master additional languages are endless.

AMENDMENT NO. 2307

(Purpose: To promote school safety)

At the end, add the following:

SEC. . SAFER SCHOOLS.

(a) SHORT TITLE.—This section may be cited as the "Safer Schools Act of 1998".

(b) AMENDMENT.—Section 14601 of the Gun-Free Schools Act of 1994 (20 U.S.C. 8921) is amended by adding at the end the following new subsection:

(g) "For the purposes of this section, a weapon that has been determined to have been brought to a school by a student shall be admissible as evidence in any internal school disciplinary proceeding (related to an expulsion under this section.".

The PRESIDING OFFICER. The amendments are agreed to.

The amendments (Nos. 2298 and 2307) were agreed to.

Mr. COVERDELL. Mr. President, I believe at this time the order of the day is to go to the Bingaman amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. I thank the Senator from Georgia.

Parliamentary inquiry. Is the amendment that I am proposing at the desk, or should I send it to the desk?

The PRESIDING OFFICER. If the Senator can send the amendment to the desk.

AMENDMENT NO. 2308

(Purpose: To provide for dropout prevention)

Mr. BINGAMAN. Mr. President, I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. REID, Mrs. FEINSTEIN, Mr. CHAFEE, and Mr. BRYAN, proposes an amendment numbered 2308.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. BINGAMAN. Mr. President, this amendment is being offered on behalf of myself, Senator REID, Senator FEINSTEIN and Senator CHAFEE. What I would like to do is very briefly describe what the amendment is and then yield to my colleague from Nevada for his comments. Then I will come back and make further statements in behalf of the amendment.

The first obvious point is that there is a serious, pervasive dropout problem in our Nation's schools. I see this in my State every day. I am sure each Senator who has visited schools in his or her State sees the same problem. Over half a million students drop out of school each year before they complete high school, and they are joining a group of almost 4 million young adults who have neither graduated nor are getting a GED in lieu of graduation.

The second point is that dropout rates are disproportionately high among low-income and minority students. That is just a fact, which we will get into more in the discussion in the minutes ahead.

The third point is that the cost of this dropout crisis far exceeds the cost of preventing it. There may be some who suggest that my amendment, by proposing to spend as much as $150 million a year, is going to bust the budget. I suggest that we are spending more on the problem of unemployment, on welfare, on juvenile crime, on the incarceration of the 4 million undereducated young people than we are proposing in this amendment as a solution to the problem.

The fourth point is that there is no Federal funding targeted to help middle and high schools deal with this problem today.

The amendment would allow over 2,000 of the schools with the highest dropout rates in each State to compete for $50,000 restructuring grants. That is what we are talking about, very small amounts of money that would help these schools to begin the restructuring process to deal with the dropout problem.

The fifth point is that the amendment does not add a new Federal education program. Instead, it replaces an unfunded dropout demonstration program from the 1994 Improving America's Schools Act.

Sixth, this amendment would provide funding to every State. It would allow local schools to determine what dropout prevention method works best for them. We are not dictating the course or the steps each school should take, but we are trying to assist them in beginning to take the steps to deal with the problem.

Finally, reducing dropout rates needs to be a bipartisan national education goal. It was identified as such in 1989.

When President Bush met with all 50 Governors in Charlottesville, it was the second education goal we identified: At least 90 percent of our students would complete high school, would graduate. We have never had a serious effort to reach that goal. It is time we did. This amendment begins to move us in that direction.

Before I go on to any further discussion, I yield to my colleague, Senator REID, who has been a leader on this issue.

Mr. REID. Mr. President, it is my understanding, I say to my friend from New Mexico, that I have 5 minutes.

Mr. BINGAMAN. Yes, Mr. President, I yield 5 minutes to the Senator from Nevada.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. REID. Will the Chair inform me when I have 30 seconds left?

I ask unanimous consent that Senator BRYAN be added as a cosponsor.

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

Mr. REID. Mr. President, I underline and underscore every word said by my colleague from New Mexico. This is a serious problem. The little amount of money that we want to spend on this will save inordinate amounts of money in welfare costs, costs to our criminal justice system and in our education system. This amendment, in my opinion, is the most important aspect of the legislation with which we have dealt. If we are going to do something about education, we have to slow down and, if possible, stop the dropout rate in our schools.

High school dropouts: Mr. President, unemployment rates of high school dropouts are more than twice those of high school graduates. The probability of falling into poverty is three times higher for high school dropouts than for students who have finished high school.

The median personal income of high school graduates during prime earning years, 25 years to 54 years, is nearly twice that of high school dropouts. That figure is startling.

The future of high school dropouts: What is the future? They may have a job making a lot of money in lawn maintenance or working in a service station. The median personal income of college graduates is more than three times that of high school dropouts.

Among prisoners in the United States, 82 percent of the prisoners in the United States never finished high school. That should send a message to this body loud and clear.

The children of dropouts have a much greater chance of dropping out of school.

The demographics of the State of Nevada and many Western States are changing rapidly. In the State of Nevada, the Hispanic population is rising very rapidly, adding a great deal to the culture of the State of Nevada, which is named after Hispanics—Nevada, snow-cap; Las Vegas, the meadows.

The dropout rate among Hispanic students is 30 percent compared to an overall rate of 11 percent, about three times higher than any other group of people. The Hispanic unemployment rate is 11.3 percent compared to 7.3 percent for non-Hispanics.

In 1991, Mr. President, 49 percent of all persons living in Hispanic households received some type of assistance. This is much, much higher than any other group of people in the United States. This cries out for doing something about dropouts, when the dropout rate is 30 percent, three times higher than any other group.

According to the U.S. Census Bureau, Hispanic Americans will make up nearly 20 percent of the U.S. population by the year 2030. This bill is not directed toward Hispanics, but Hispanics will benefit significantly from this legislation.

Mr. President, we need to make these changes. I congratulate and applaud the leadership of the Senator from New Mexico.

Dropouts in high school are a problem we must address. We must do it soon. The aim of our legislation is to encourage the type of innovative thinking that is working in other places, adopt and use those programs that work well. Each school would receive a little bit of money, because we found it only takes a little bit to make a great deal of difference. I ask all my colleagues to join in supporting this most important amendment.

Mr. BINGAMAN. Mr. President, how much time remains on our side?

The PRESIDING OFFICER (Mr. HUTCHINSON). The Senator from New Mexico has 7 minutes 39 seconds remaining.

Mr. BINGAMAN. Mr. President, I yield myself 5 minutes of that time and reserve the rest so that I can use the remainder to summarize after the opponents have spoken.

But let me just go into this a little more in depth. I appreciate the strong support of the Senator from Nevada. What this amendment tries to do is to begin to focus our attention as a nation on what I see as a very, very serious problem in our educational system. And that is the problem that many, many of our students are not ever completing their high school education, in some cases are not completing their middle school education. These students are leaving the schools in large numbers, and we as a society are having to make accommodation to the fact that we have large numbers of young uneducated people coming into the work force.

So what we are trying to do is to begin the process of focusing attention on it, begin the process of reversing this trend. Let me show a few charts here, Mr. President, just to make the points.

This first chart is called "Event Dropout Rates for Grades 10 through 12, Ages 15 through 24, By Race and Ethnicity." And this is the period 1972 through October of 1995.

You can see on this chart that for the white non-Hispanic students, although they have had the lowest annual dropout rate of any group, that dropout rate has been increasing, not decreasing, in recent years. So this is a problem that affects everybody.

The non-Hispanic black students—that is this green line—it has been coming down somewhat. The general trend is down. But it also is quite high and is not near where it should be.

Of course, the red line—which is the line that represents the Hispanic students in our school system—it is by far the highest of these lines and shows the seriousness of the problem. Dropout rates have not declined in recent years. This is not a problem that is fixing itself; this is a problem that needs additional attention. Dropout rates are particularly adverse among the Hispanic population.

Let me show another chart here, Mr. President. You can see this is called "The Status Dropout Rate." That indicates, rather than an annual rate, this is how many of our students have left school essentially before they graduate. You can see that this red line—representing the Hispanic students in our school system—it is consistently over 30 percent. We essentially are losing a third of the Hispanic students in our school system before they complete high school under the present circumstance.

There was recently a report done called the "Hispanic Dropout Project Report, No More Excuses." That report makes the case very convincingly that new strategies are needed, new efforts are needed, to deal with this problem.

Let me show one other chart here, just because I know every Senator here is concerned about his or her State in particular. This is a listing of the dropout counts and annual rates for States by State, starting with the State with the highest dropout rate. Unfortunately—and this, I am sure, is one of the reasons that the Senator from Nevada is so concerned about this issue—Nevada, according to this, had the highest dropout rate in 1993–94. Next was Georgia, the manager's State, that had an 8.7 percent dropout rate. And third was New Mexico, my own State, with an 8 percent dropout rate. That means, every year, 8 percent of the students in the school system drop out.

So over the period of 4 years of high school and even some part of middle school, we lose more than 30 percent in many of our schools.

These are crucial issues in my State. I run into this problem as I go around my State talking to parents, talking to

school administrators, talking to teachers, talking to the students themselves.

It is time for the country to act. It is not enough to just say, "This can get handled by the larger issues. We don't need to make special efforts with regard to this. It will take care of itself. As the general educational system improves, maybe this problem will go away too." That is not an adequate answer. We need to do better than that. The simple truth is that too many of our schools are not meeting the academic, the vocational, or the other needs of students. Students are leaving those schools. They are bored with the watered down, repetitive courses, and in many cases they are alienated by the very size of the schools.

The PRESIDING OFFICER. The Senator has used 5 minutes.

Mr. BINGAMAN. Mr. President, as I indicated, I will reserve the remainder of my time until after the opponents have spoken.

Mr. COVERDELL. Mr. President, I yield as much of our time as is necessary to the distinguished Senator from Tennessee who rises in opposition to the Bingaman amendment.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. FRIST. Mr. President, please notify me at 13 minutes.

Mr. President, I rise in opposition to the amendment by the Senator from New Mexico. Senator BINGAMAN has offered an amendment which would create a new program intended to lower dropout rates in our Nation's schools. It does replace a program that was in existence up until 1995. That program is no longer funded, nor was funding requested by the President of the United States back in 1995, 1996, 1997, nor was it requested by the Department of Education, as I understand. It is a new program, though, and I will come back to that.

Senator BINGAMAN's amendment would amend title V of the Elementary and Secondary Education Act of 1965 to authorize this new entity, and up to $125 million in that first year, with the objective which I obviously share; that is, reducing dropout rates.

Secondly, the amendment, as I mentioned, authorizes $125 million for grants in that first year and authorizes an additional $25 million for a national clearinghouse on dropout data.

In addition, it would create an office in the Department of Education, it would create a new office of dropout prevention, and would also allow for the creation of a dropout czar at the Department of Education to focus attention on this issue.

I say all of that because it is a new program not currently funded. It is a Federal program. And that is important, because so much of the discussion that we have undertaken over the last 3 to 4 days and that I, as chairman of the Senate Budget Committee Task Force on Education, have reviewed over the last 6 months is that if there is one thing we have too many Federal programs with too much overlap, and it is too confusing and too burdensome. I think we have made great progress in the last 2 days on this bill and in simplifying and streamlining with some of the amendments as well.

The second point I want to come back to is that we do have a problem today in dropout rates, but we have made huge progress, huge progress, over the last 30 years. I have had the opportunity to go back and look at the statistics and the data in our task force. We need to do a lot more. I encourage all of us, and maybe we can take it back to the Labor Committee where we can really analyze this data and see what the trends mean.

But basically there are two points I want to make. I think we need fewer programs, not just another program, to address problems; and, No. 2, real progress has been made in lowering the dropout rate among all subgroups in this country, some more than others.

The 1997 Digest of Education Statistics, produced by the National Center for Education Statistics on this very issue, has a chart. Contrary to what Senator BINGAMAN has said, let me go back and look at the entire 36-year period, because I think it puts it in a much better perspective for us.

From 1960 to 1996, the dropout rate has fallen dramatically, from 27.2 percent down to 11 percent. The dropout rate over this period of time has fallen by much more than a half—almost by two-thirds. The current dropout rate is 11.1 percent. In fact, if we look at the data from the last several years, we have not improved in science in the last 30 years and we have not improved in math and we have not improved in reading. The one area we have improved in education in this country is lowering that dropout rate. I don't want to minimize the problem because I agree it is a problem, but we cut it not just by a quarter, not just by a half, but almost two-thirds, down to 11.1 percent.

In the same 1997 Digest, we learn from 1972 to 1996, look at women of Hispanic origin, the rate has dropped from 34.9 to 28.3—still too high. The intent of the amendment is to address the 28.3 percent, but it is the wrong approach, another Federal program. If we look at black men, the rate has dropped from 30.6 percent in 1967 down to 13 percent in 1996. That is dramatic. Not by just half, but two-thirds. Currently, it is 13.6 percent. Women of all races, the rate has dropped from 26.7 percent in 1960 to 10.9 percent in 1996. I wish we could see that much progress made in improvement in terms of science, math, and reading where we haven't seen any progress whatever. For men of all races, the rate has dropped from 27.8 percent in 1960 down to 11.4 percent in 1996. So we have made huge progress over the last 30 years.

Senator BINGAMAN and I are both members of the Senate Labor and Human Resources Committee, and much of the data I refer to was reviewed in the Senate Budget Committee task force. I do hope we have the opportunity, regardless of the outcome of this amendment, to go back and ask why the Hispanic dropout rate has gotten better but not as good as we would like and why for black men it has gotten remarkably better. I do not fully understand that and would like to find out in committee through hearings to see if we can address and if we can come up with an overall strategy.

I suggest we look at creative ways to assist all of our students. We approached that to some extent yesterday through the block grant, the Gorton-Frist amendent yesterday, which really allows States and localities to identify problems like this which may not be in every locality, which are not in every locality, every school district, but allow States and localities to identify for themselves what that problem would be, and give them, through this block grant approach, the flexibility to decide how, for themselves, based on their priorities, based on their needs, they can address that specific problem and spend those education dollars that we provide. Clearly, our current system of complicated overlapping programs is not the answer, and therefore I hesitate and therefore oppose having another new Federal program in this regard.

I have spoken a number of times about findings of the task force itself. It really comes down to having a fragmented Federal education effort; it ends up being uncoordinated. The General Accounting Office in our hearings presented testimony to the task force and noted how the Federal Government does target certain populations with a variety of Federal education programs. Again, the block grant approach through the Gorton-Frist amendment still allows the existence of programs but you give individual school districts or States the opportunity to use that money as they see fit or to keep those categorical programs.

The General Accounting Office, in this chart I will show briefly on the floor, illustrates the problem that we have today by just having another program. This chart shows target groups served by multiple programs and agencies. In the middle is the target group which is aimed by the Federal Government called "at-risk and delinquent youth." This is the area that the dropout rate potential student exists. Look what we have today. Department of Agriculture has programs, Department of Education has programs, Department of Health and Human Services

has programs, Department of the Interior has programs, and now we want to add yet another program.

In fact, for this "at-risk youth" target group, we have 59 programs at the Department of Health and Human Services, 7 administered by the Department of Defense, 8 by the Department of Education, 4 by the Department of Housing and Urban Development, 9 by the Department of Labor, 22 by the Department of Justice, 3 by the Department of the Interior, 7 by the Department of Agriculture, and 8 by various other agencies. We have 127 Federal programs right now that are directed to at-risk and delinquent youth. We take it from 127 to 128. I think we can't kid ourselves that by adding another new program to address this fundamental problem, that that will be the answer.

The task force also held a hearing on January 28 called "Federal Education Funding: The State and Local Perspective." It was made clear at the hearing that additional Federal programs, which have numerous regulations and are costly to administer, is just simply not the best approach. In terms of the Federal burden, the commissioner of education for the State of Florida told the task force, using an example, that it takes 297 State employees to oversee and administer $1 billion in Federal funds; in contrast, only 374 employees oversee approximately $7 billion in State funds. The point being it takes almost six times as many people to administer a Federal dollar as a State dollar.

For some reason, and it has been reflected on the floor over the last 2 days, we had a problematic reluctance to ask the question, "What works, what doesn't work," and let us promote what works. I have been dismayed through the whole process of the last several months looking at education, looking at the sort of chart that you just saw where we have 127 programs already designed to look at that at-risk youth. Is 128 going to make a difference? I think not.

In summary, if you step away from it, we have a too-complicated Federal effort today. We don't need to have one more program in this already incoherent structure. No. 2, we have data to show that we have made, since 1960, dramatic progress, improvements in the dropout rates. Still, we have a problem. Still we need to address it. I argue that the best place to address that instead of right now on the floor where very few people have this data is in a committee, where you can debate it, look at the data, analyze it, and say why is one group doing better and one is not.

Third, the Senate did agree yesterday to the Gorton-Frist block grant approach which gives the opportunity for a State or a locality to obtain the same amount of funds and use those funds to address the specific problem—whether it is the dropout rate or whether it is technology or whether it is more books, they get to choose.

For these three reasons, I urge my colleagues to oppose and defeat Senator BINGAMAN's amendment. I look forward to working with him in the Labor Committee to address the issue that he has brought to the floor.

Mrs. FEINSTEIN. Mr. President, I am pleased to support Senators BINGAMAN and REID today and I thank them for including my suggestions to be more explicit in how school districts use funds authorized for dropout prevention.

At my suggestion, Senators BINGAMAN and REID added several specific strategies to the activities authorized by their original amendment. Under the original Bingaman-Reid amendment, funds would be authorized as grants to states and states would in turn award grants to public middle and secondary schools for activities like professional development and planning and research.

Under the Feinstein amendment, schools could also use grants for remedial education; reducing pupil-teacher ratios; efforts to help students meet achievement standards, such as tutoring or enrichment programs; and counseling for at-risk students.

I believe that the additions I suggested provide some concrete guidance to the states and represent specific, targeted strategies aimed at the underlying causes of the dropout problem.

Students at risk of dropping out need extra help and attention, such as smaller classes, counseling, and after-school academic programs and summer school. They require more than the normal school program, but schools are strapped as it is and this new "injection" of funding can help schools provide these extra services.

For example, limited English speaking proficiency is a major risk factor for dropping out school, especially for Latino children, according to the General Accounting Office in their July 1994 report. For Latino students born in the U.S., the dropout rate is 18 percent. For newly immigrated Latino students, the dropout rate is 44 percent. For African-American students the dropout rate is 12 percent and for Anglo students it is 9 percent, according to the National Center for Education Statistics. Nearly one in five Latinos between ages 16 and 24 leaves school without a diploma [Hispanic Dropout Project, U.S. Department of Education, February 1998]. Whatever the numbers, in my view, one percent is too high for any group. Everyone needs a solid education.

Other risk factors for dropping out are poverty, pregnancy, motherhood, disruptive behavior, academic failure, and lack of skills, said the General Accounting Office and the National Center for Education Statistics.

Dropping out of school can begin a downward spiral to delinquency, unemployment, disillusionment, drug and alcohol abuse and crime. Dropping out forecloses opportunities for a lifetime—having children who are poor and uneducated; lack of job skills; civic breakdown.

Public schools need help and the added resources of this amendment in an effort to bring concentrated attention to at-risk students and to prevent the downward plunge that can begin when children drop out of school. We should not give up on these children but give them extra help to stay in school. This amendment can provide some help and I urge the Senate to adopt it.

Mr. COVERDELL. How much time is remaining on both sides?

The PRESIDING OFFICER. The proponents have 3 minutes 27 seconds remaining and the opponents have 2 minutes 40 seconds remaining.

Mr. BINGAMAN. I would like to have the opportunity to summarize my arguments at the end. If the opponents would go ahead and complete their opposition, I prefer that.

Mr. COVERDELL. I think this would be the appropriate time for you to do that and we will yield back and proceed.

Mr. BINGAMAN. You are planning to yield back your time?

Mr. COVERDELL. Is there anything further from the Senator from Tennessee?

Mr. FRIST. I reserve 30 seconds, but otherwise I have nothing further.

Mr. BINGAMAN. Mr. President, let me first just respond to a couple of points that were made by the Senator from Tennessee. He says we made huge progress. That is not what the people in my State believe. That is not what the school administrators and students and parents in my State believe.

The Department of Education report that just came out this year indicates their conclusion is that there has been no overall progress in lowering dropout rates during the last 10 years. That is the decade during which we were supposed to be moving up to 90 percent of all of our students completing high school before they left school.

In 1989, when the Governors and President Bush met in Charlottesville, the goal was set at 90 percent. It was 86 percent then. It is today 86 percent, according to the National Education Goals Panel. In the last 10 years there has been no progress, in spite of the fact that we have had this national goal.

Another part of the goal, in addition to getting 90 percent of our students to complete high school, was to eliminate the disparity in the different groups in our society so that you didn't have such a large dropout problem among one group—in this case, the Hispanic students—and such a disparity between

the problem with that group and other groups. Clearly, those disparities have not been eliminated. The problem is very much with us. It needs attention, and it is every bit as serious now as it was in 1989 when we established the national goal of getting to 90 percent.

The Senator from Tennessee says we have too many programs already. I point out that my friend and colleague from Georgia is getting ready to offer another proposal here. We seem to have a double standard. When the proposed new programs are brought up on that side of the aisle, they are acceptable; when they are brought up on our side of the aisle, there are too many programs. The reality is that there are no programs—there is no Federal money focused on dealing with this problem of dropout prevention. That is one reason we have never dealt with it. It is not on the national agenda, it is not on the agenda of the Department of Education, and, frankly, it is not on the agenda of most of our States and school districts, and it needs to be.

Mr. President, if we are going to make progress on this, at some stage we are going to have to quit coming up with excuses. The title of a report that came out this year was "No More Excuses." To my mind, that sums it up well. Let's get on with dealing with this problem.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COVERDELL. Mr. President, I yield back the opponent's time. I believe that would move us to the next order of business. This amendment would be set aside for the stacked votes later this afternoon.

The PRESIDING OFFICER. The Senator from Georgia is correct. The amendment is set aside.

AMENDMENT NO. 2309

(Purpose: To provide for reading excellence)

Mr. COVERDELL. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Georgia [Mr. COVERDELL] proposes an amendment numbered 2309.

Mr. COVERDELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. COVERDELL. Mr. President, as we have noted throughout this debate, we have a lot of Americans who are exceedingly deficient in reading. When more than 40 million Americans cannot read a phone book, a menu, or the directions on a medicine bottle, and only 4 out of 10 third graders can read at grade level or above, new solutions are needed—I might add, not programs, but solutions.

This amendment, based on Senate bill 1596, the Coverdell-Gorton Reading Excellence Act, will help children learn to read. The reading excellence amendment would focus on training teachers to teach reading. Fewer than 10 percent of our teachers have received formal instruction on how to teach reading.

My amendment would also send 95 percent of the funds associated with it directly to the classroom, which I know the Chair would applaud, as he has been the author of the money-to-the-classroom legislation. It requires that funds be spent on research-based reading instruction, methods with proven track records. It provides extra tutorial assistance for at-risk children, as well as literacy assistance for parents, so they can be their children's first and most important teacher.

It is already funded. That is unique here. Two hundred and ten million dollars were set aside in the fiscal year 1998 Labor-HHS appropriations bill specifically for literacy work. However, this is contingent on the passage of an authorization bill by July 1, 1998. The House has already acted and passed a Reading Excellence Act by voice vote on November 8, 1997.

President Clinton endorsed the Reading Excellence Act in his radio address February 28, 1998, and has called on the Senate to act. This amendment is a response to that call. I will read the actual statement on behalf of the President of the United States:

But we need Congress' help to meet this goal.

The goal is that we are on track to give extra reading help to 3 million children at risk of falling behind.

He says:

But we need Congress' help to meet this goal. This past November, the House of Representatives voted with bipartisan support to promote literacy efforts in the home, the school, the community. Legislation with these goals is now awaiting action in the Senate——

Not anymore—

which means $210 million in targeted assistance is now on hold in Washington, not at work in our communities.

We are getting ready to end that.

So today I call on the Senate to pass this legislation without delay. We need it. Our children need it.

That was the address of the President of the United States to the Nation on February 28, 1998. This is the answer to the call. The research is overwhelming. Most recently, the National Research Council, at the request of the Department of Education, released a report calling for a direct, systemic approach to teaching so that children can learn to connect the letters of words to the sounds they represent. Our amendment does this by requiring that proven scientific methods be used, ensuring that 95 percent of the funds reach the classroom, and providing teachers with the skills to help our children.

We should seize this opportunity, as the President requested, to put our children first, which, I might add, is the genesis of this whole underlying proposal: Children first, system second. We have been fighting this system a long time, and we have bad numbers. It is time that we put the kids first. This amendment is in complete sync with the nature of the underlying bill and does just that. We know you can't have a free population, Mr. President, if it is uneducated. It denies them the rights and privileges of American citizenship. If you can't read a phone book or a medicine bottle, you can't get a job. If you can't get a job, you can't take care of yourself, you lose your dignity, you are robbed of everything that America is all about.

Mr. President, on April 17, 1998, I received a letter that was signed by Jim Barksdale, president and CEO of Netscape Communications; Carol Bartz, chairman of Autodesk; John Chambers, president of Cisco Systems; Eric Benhamou, president of 3COM; Floyd Kramme, a partner at Kleiner, Perkins, Caufield and Byers; and John Young, retired president and CEO of Hewlett-Packard.

It says a lot of good things about what we are trying to do here today, but the last paragraph is particularly poignant:

In our respective businesses, we are creating thousands of jobs that our Nation's education system is not preparing youths to fill. The 21st century economy will depend on one resource more than any other—qualified people—and dominance of the world economy in the next century will shift to the nation that best educates its population. We are grateful that the Senate Republican leadership understands the seriousness of this challenge.

Mr. President, I can't think of a more fitting concluding amendment to the debate than the Reading Excellence Act. People have to be functional in our society. This amendment puts kids first. This amendment helps American teachers to do this job. This amendment has been passed by the House. This amendment has been called on for enactment by the President of the United States and, through this amendment, the leadership of the Senate. I hope that our colleagues on both sides of the aisle in a continuing bipartisan spirit at the appropriate time will vote in favor of this amendment.

Mr. President, I reserve the remainder of my time.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, for those who may be in opposition, we have some time, as I understand it.

The PRESIDING OFFICER. The Senator has 15 minutes.

Mr. KENNEDY. Mr. President, I am not sure that I qualify for being in opposition because I will urge our colleagues to support this amendment. I

want to commend the Senator for giving some focus and attention on the floor of the Senate to the issues of literacy and literacy training.

On next Tuesday in our Human Resources Committee, Senator JEFFORDS will be having a hearing on our literacy legislation. It is his hope and certainly all of ours in the committee that we will pass out a strong, bipartisan proposal that will incorporate a number of the ideas that are included in the Coverdell amendment and a number of the ideas that have been included in President Clinton's literacy proposal of a little over a year ago. As we all know, now that the President has asked the colleges of this country in the work-study program for those young people to devote time for literacy training, I take pride that our Massachusetts colleges are No. 2, with California being No. 1, in the number of colleges where the young people who are benefiting from the work-study program are actually involved in tutorial work. We have tried to get every one of the colleges in our State—there are 126—to be involved in that tutorial work.

I think, the fact that this afternoon we are focusing on the issue of literacy, hopefully we will pave the way for a bipartisan effort and for an outcome that will result in our ability to utilize the $250 million which have been designated for literacy training as a part of the budget of last year and was worked out in a bipartisan way. We may have had differences on the number of the education issues that we have been debating in the past days, but I certainly hope that we can in these next very, very few weeks have legislation out here that will have a responsible literacy initiative.

Mr. President, we know that the Academy of Sciences has recommended a modality for the development of literacy programs. If we take the Coverdell proposal, we will find it quite prescriptive in relationship to the range of initiatives that have been recommended by the Academy of Sciences that provide greater flexibility. How we eventually are going to come out on that issue remains to be seen. But the strong emphasis on the teachers that they be well trained to teach is something that we all would have common agreement on. The idea of the role of the tutors under the President's program is an important role. I think under the Coverdell proposal we find that feature of it, hopefully, would be strengthened.

I think there is probably some difference in this body about the administration of the program. Under the Coverdell proposal, you set up a whole new bureaucracy effectively with your partnership program rather than working with the State programs. It is quite prescriptive in the naming of a number of members that will serve on various boards. You have a number of States now that are doing some very, very important work. This would be a circumstance where I hope that the program would work through the State agencies that are in the Coverdell proposal.

I also believe that you have particular features in here where you have the devoting of a good deal of money for assistance grants for tutors. I think most of those involved in literacy training feel that having a school-based system is a better use and a more effective use of the funds.

Mr. President, I hope that at the time we address this issue Members will vote in favor of the Coverdell amendment. Then we will have an opportunity to vote after in terms of the Bingaman and Reid proposal. I hope that we will vote in favor of that as well.

I think the President's proposal and ones which will be advanced in our Human Resources Committee will give greater emphasis to volunteers and to tutors than would necessarily be the case in the Coverdell proposal.

We have under the leadership of our colleague and friend, Senator JEFFORDS, the Everyone Wins Program, which is a reading program which a number of our colleagues on both sides of the aisle have been involved in at the Brent School on the Hill. We have good attendance from a number of our Members here where they go over and read each week to students. I think the kind of flexibility provided in the President's program as well as the kind of support for a number of school-based systems has some additional credibility. I hope that we will support it.

I commend the Senator for giving focus and attention. I want to pledge to the Senator from Georgia, as well as to our other colleagues, that we will certainly work every way that we possibly can, those of us on the Education and Human Resources Committee, to work under the leadership of Senator JEFFORDS who has really been a strong, strong leader on the issues of literacy long before many others in this body, and hopefully we will have a chance to all be together and join in something that can pass and be successful and really move us towards a country that has a real commitment towards literacy.

It is interesting that, if you go back into the history of our country, in the early days of this Nation at the time of the birth of the Republic we had a much higher rate of literacy than we have today. That is rather surprising to many, many people. The reason was because of the reading of the Bible, because we had church-related efforts for literacy in every community across the country in order that children were going to be able to read the Bible. We had much higher degrees of literacy at other times in our history than we have at the present time. That is one of the areas where we have slipped. I think we need to call for focus, attention, energy, and I think some resources to really galvanize the sense of voluntarism, which I believe is out there, in an effective way to really make a dramatic impact on reducing illiteracy in the country.

I hope our colleagues will support that amendment. I commend him for bringing it. I pledge that we will try to work to find ways to get a meaningful program.

Mr. President, I reserve the remainder of my time.

Mr. COVERDELL. Mr. President, How much time remains on both sides?

The PRESIDING OFFICER. The Senator from Georgia controls 6 minutes 59 seconds.

Mr. COVERDELL. And they have?

The PRESIDING OFFICER. The opponents have 7 minutes 8 seconds remaining.

Mr. COVERDELL. Mr. President, I am prepared to yield back here in just a minute so that we might proceed to a unanimous consent request to clarify for the Senate where we might head from here.

I thank the Senator from Massachusetts for his remarks. As he has noted, there are some differences remaining, but I pledge to work with the Senator as we move forward on this amendment. There is still the conference. Maybe there are other differences that we might deal with even at that time. But I do appreciate the Senator's words in support of the amendment, and I am glad we are in a situation here where we can, by and large, respond to the President. I think we would both agree at least on this point that there is nothing more important or no more important skill than American citizens having the capacity to read. Again, I appreciate very much the genuine remarks of the Senator from Massachusetts.

Mr. President, I am prepared to yield back the time on our side so that I might proceed to a unanimous consent request if that is agreeable.

Mr. KENNEDY. Mr. President, I will just take one moment. I hope we can move forward. We may have a number of differences—probably will—in the conference, but this is an area where we really ought to try to get the best ideas that all of our Members have and then move it forward.

I look forward to working with the Senator from Georgia on that. I know I speak for all of the Members on our side on the Labor and Human Resources Committee. No matter how the underlying legislation comes out, I will look forward to working with the Senator from Georgia and others to make sure that we are going to get an effective bill. I am prepared to yield back the remaining time that I have.

Mr. COVERDELL. I yield back the time we have.

The PRESIDING OFFICER. All time has been yielded.

Mr. COVERDELL. We have now debated all outstanding amendments. I know that may be hard to believe by anybody listening. I ask unanimous consent that this next voting sequence occur beginning at 2:15, with no additional amendments in order to the sequenced amendments and with 2 minutes of debate between each vote for explanation. I further ask that at the conclusion of the amendment debate Senator BYRD be recognized for up to 30 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. COVERDELL. Mr. President, the voting series will be as follows: the Levin amendment regarding vocational education, the Boxer amendment regarding after-school programs, the Coverdell amendment regarding reading and excellence we have just concluded, and the Bingaman amendment regarding dropout prevention. It is my hope that following the voting series the Senate could quickly move to third reading and a final vote on the Coverdell A+ education bill. I thank all of my colleagues for their continued cooperation and support.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BYRD. Mr. President, I intend to vote for this bill. Some amendments have been adopted, however, with which I do not agree, and I would prefer that they had not been adopted. But that was the Senate's will. Even so, I think this is a new approach and it is entitled to be tested. So I am going to support this legislation for that reason.

Mr. President, the Bible tells us that Solomon prayed for wisdom and knowledge. He did not pray for riches. He did not pray for honor. He did not pray for the life of his enemies. He asked the Creator for knowledge and wisdom, and perhaps we in the Senate should do the same.

Mr. President, I am very concerned by our Nation's failure to produce better students despite the billions of Federal dollars appropriated every year for various programs intended to aid and improve education. To put it simply, the sums of money invested in our Nation's education system continue to grow each year and, yet, the quality of our Nation's students does not keep pace.

Several Senators have championed efforts to improve the dilapidated state of our Nation's school buildings, and I commend them for their leadership. According to the General Accounting Office (GAO), over fourteen million students attend schools in need of major renovations, and I am concerned by this figure. Then, why, my colleagues may ask, have I chosen to vote against an initiative to use Federal funds for construction of our Nation's school buildings? It is not because I do not recognize the benefits or the need for better school facilities—I certainly do. The GAO has estimated that the total bill for addressing this problem nationally tops $100 billion. However, I have reservations about the administration's approach to school repair and construction, which may be more appropriate for better-heeled school districts than are to be found in West Virginia and other rural States. Many poor districts do not have the ability to repay any loan, even an interest-free loan.

We are right to be concerned about dilapidated school buildings in this Nation. However, Mr. President, I believe that before the Federal Government embarks upon the new mission of providing massive amounts—and they will be massive amounts—of scarce Federal dollars for school construction, we should just step back and take a fresh look at why our students are not performing well scholastically. Is it due to aging school buildings? No. Reasons much more fundamental than aging school buildings underlie the poor academic performance by American students. It is these problems which must be addressed.

Senators stand on this Floor and we argue about the benefits of tax credits for education, we argue about funds for aging schools, we argue about funds for private schools versus funds for public schools. Yet, I tell you that I believe we are all just talking past each other and past the problem. The problem is rather clear. It has two major components. The problem with education in America has, as its root, (1) the quality of our teachers, and (2) the quality of what they are teaching.

We have many good teachers and many of us owe more than we can ever pay to our good teachers. I had dedicated teachers when I was a child. They didn't get paid much back in those days. We came through the Great Depression. But they were dedicated. They loved the children that they taught and they inspired us to excel. And a good teacher can do that, can inspire his or her students to excel, to try harder, to work harder, and strive to be at the head of the class.

According to the Third International Math and Science Study, released on February 24 of this year, "U.S. 12th graders outperformed only two (Cyprus and South Africa) of the 21 participating countries in math and science." This is deplorable, absolutely deplorable.

Why is it that from 1993 to 1998, education spending has increased by 25 percent, and at the same time, results from the Third International Mathematics and Science Study (TIMSS) rank U.S. high school seniors among the worst participants in the areas of math and science? Why is that? Why is it that in all three content areas of advanced mathematics, U.S. advanced mathematics students' performance was among the lowest of the twenty-one participating nations? It is not because of lack of money.

James A. Garfield, one of the Presidents, said with regard to the value of a true teacher: "Give me a log hut, with only a simple bench, Mark Hopkins on one end and I on the other, and you may have all the buildings, apparatus and libraries without him." He wasn't talking about massive buildings, impressive halls and corridors. So why is it? Why is it that in all three content areas, as I say, of advanced math, U.S. advanced—the best—math students' performance was among the lowest of the 21 participating nations? These are supposed to be our Nation's stellar students, our Nation's best students. This is not to say that all our students fall short. We have some excellent students. We have some good schools.

I am 100 percent for education. In all my life I have endeavored to press to improve myself. I wanted to start at the beginning, start with myself, improve myself. And I think I have—my colleagues know that. I also wanted to help others. So, in 1969, almost 30 years ago, I started a program in West Virginia to reward the high school valedictorians. And I started a program that is referred to as the Robert C. Byrd Scholastic Recognition Fund. When I began it, I began it with money out of my own pocket. In the beginning, a $25 savings bond was presented to each high school valedictorian in the State of West Virginia. That was in 1969. After a while, I established a trust fund for purchasing the savings bonds, which, in recent years, have been $50 bonds. I wanted to reward students—not the athletes, they get their rewards—but the students who work hard to excel in reading and in mathematics and algebra and geometry and music and so on, encourage those students to excel and to recognize them for excellence. As I say, we recognize the great athletes. We don't recognize the best spellers. Often I hear my colleagues talk about their State's No. 1 standing in football teams and so on. The question that occurs to me is how well can they spell? How well can they add and subtract and multiply and divide? How well can they read? That is what we need to reward—the children who are in the libraries and in the laboratories and who are working hard to improve themselves, to get an education.

So I am 100 percent for education but I want to have some confidence, more

than I presently have, that my vote to spend the hard-earned dollars of taxpayers will produce a return to merit that investment. I have been voting for Federal aid to education for decades—not just years, for decades—since 1965, to be exact. That was the year in which the Elementary and Secondary Education Act was passed as well as the Higher Education Act. I have been supporting those acts.

But, we still seem to be losing the battle against mediocrity. I do not want to vote against spending for education. But, Mr. President, when do we admit that we are doing poorly, and try something new? It is glaringly apparent from the results of the Third International Mathematics and Science Study (TIMSS) and other similar studies that increased education funding does not necessarily translate—does not necessarily translate—into higher student achievement levels. An even more recent study, conducted by the Fordham Foundation, a private organization committed to quality-based reform of elementary and secondary education, indicates the low quality of state standards in math and science. In mathematics, the Nation flunks, with only three States out of 50 receiving a grade of an "A", and just nine others a grade of "B". In science, the United States is just mediocre, if we can call it that, with nine States failing and seven earning "D's".

The Thomas B. Fordham Foundation found that our schools are also doing a pretty dismal job of teaching history and geography. I quote from the foreword of the report on history: ". . . the vast majority of young Americans are attending school in states that do not consider the study of history to be especially important."

Now think of that.

". . . the vast majority of young Americans are attending schools in states that do not consider the study of history to be especially important."

Napoleon said: "Let my son often read and reflect on history; this is the only true philosophy." That was Napoleon.

"No doubt some children are learning lots of solid history from excellent teachers in fine schools. Their good fortune, however, appears to be serendipitous. State standards rarely constitute a ceiling on what can be taught and learned. But it's not unreasonable to view them as the floor below which no child or school should fall . . . when it comes to history, most states have placed that floor where the sub-basement ought to be . . . in only a few instances is history itself the focus of the state academic standards that pertain to it. In most jurisdictions, history remains mired in a curricular swamp called 'social studies,' . . . "

Social studies is all right. I don't have any quarrel with social studies, but let's also have history. Let's don't substitute social studies for history. There is no substitute for history.

History, of all things, is not thought to be important enough in many of our states to be taught as a separate subject, and that is most unfortunate.

Mr. President, merely continuing along this same path of proliferating education programs and investing more and more Federal dollars into our Nation's education system will not solve the problem of improving the quality of our Nation's students.

I congratulate our colleagues who work diligently on their committees to bring bills to the floor and manage the bills, who are highly dedicated to serving the students of the Nation and to improving the schools of the Nation and to getting better teachers. I congratulate my colleagues for their efforts. They, too, must become discouraged.

On a fundamental level, however, there is something askew with the way we are approaching education in this Nation.

I started out in a little two-room schoolhouse along about 1923, when we did not have hand calculators. Lord, have mercy—calculators? We did not have them. We did not have computers or other high technology. We did not have much money for supplies, just the bare essentials. We got by with spring water. We had only one bucket in the school room. A two-room school; two buckets in the school. I was glad when the teacher chose me from time to time to go with another lad across the hill to the spring to bring back the bucket of water. We all drank out of the same bucket and out of the same dipper.

We didn't have any indoor plumbing. We had an outhouse—a couple of them—and we didn't have electricity. When the storms came, we had to light a candle or a kerosene lamp. So I do know something about so-called "difficult" conditions. I am one of those children who started out with the bottom two or three rungs of the ladder gone; they were missing.

In those days, mathematics was about rules, memorized procedures, memorized multiplication tables and other methodical tables. Science was stern stuff. History was about dates and heroes. That is where many of us who went to school in the mountains and hollows of West Virginia learned about our heroes, the people we wanted to be like.

There is where we learned about Nathanael Greene, one of Washington's top generals, perhaps his top one. Francis Marion, the Swamp Fox; Daniel Morgan; Nathan Hale, who died on September 22, 1776, because he had been asked by George Washington to go behind the British lines and to draw pictures of the breastworks and other military excavations, and so on. Hale was discovered the night before he was about to return. He had these drawings in his pockets. The next morning, he was executed.

He was asked if he had anything he would like to say. He had already asked for a Bible and a chaplain and had been denied both of those. He asked if he had any statement. He said, "I only regret that I have but one life to lose for my country."

So there in our history books is where we children first learned about American heroes, our heroes.

History was about dates and heroes. And with these basics, the United States became a mighty industrial power, a leader in medicine, and a winner of world wars. But, somewhere along the line, we seem to have gotten off the track. Today, our students have algebra textbooks that include discussions of chili recipes and hot pepper varieties. I made a speech on this floor a year or so ago about this and brought the particular so-called algebra book with me. And these textbooks do not even begin to define an algebraic expression until page 107—107 in this particular book, so it is no wonder that our students do not fare better on international tests such as the TIMSS!

On Friday, March 20, I noted an article on the front page of the Washington Post, which reported a new trend among teachers to teach without the benefit of textbooks. The article discussed how teachers are increasingly relying on the Internet or on materials that they prepare themselves, and spurning the traditional student textbook. Now, what is the reason for this phenomenon? I quote from the Post piece, "Scientific knowledge is expanding so rapidly that many textbooks are outdated only a few years after they are published. Recent political disputes"—get this; this is the Washington Post talking—"Recent political disputes over textbook content have made publishers wary of offending any interest group, and the result is that the books have become bland and shallow, some teachers complain. . . . Some teachers even cite a decline in children's reading skills as a rationale for abandoning the tomes."

Mr. President, imagine that. Our kids can't read well enough to effectively digest a textbook. And furthermore, textbooks have become such worthless amalgams of touchy-feely, politically correct twaddle, that many teachers are casting them aside in favor of doing the extra work to prepare material themselves.

Mr. President, if we ever hope to improve the quality of students in this country, it is essential that we recultivate an interest in education for its own sake—education for education's sake—not only in our Nation's children, but also in their parents. Our Nation's ailing education system is, in part, influenced by the parents of those children, and of young adults attending

high school and college. Parents need to take an active role in their children's education. Without parental involvement, dumbed-down textbooks will continue to creep into the local school systems, and it will be our children and our grandchildren who suffer.

I hope that we do not try to tell the American people that fighting over school vouchers or the size of an education IRA, or even the repair of our school buildings will solve the problem of the often shallow, substandard, low quality education we are offering our kids these days. I strongly suspect that our students' poor performance as scholars has a lot more to do with the general dissolution of the family structure, loss of respect for authority, rampant alcohol and drug use by students even in the lower grades, and a pervasive change in attitudes about the value of discipline, than it does with dilapidated school buildings.

We can rebuild all the school buildings that we want, and, yes, I agree that we undoubtedly need to modernize and to rebuild some of these structures, but let no one believe that school construction will solve what is wrong with education in this country today. The problems assail us from many directions. How can our teachers teach if they have to create their own textbooks as well as attempt to maintain discipline, and please every interest group? When one considers the meager salaries of teachers generally, and having to struggle against the backdrop of a society that glorifies athletics and the attainment of any type of celebrity far more than it cares about scholarship, it is easy to see why good teachers are increasingly hard to come by. How can mundane scholarship, which requires commitment and hard work on the part of the student, compete with sensational television and movies that offer brutal murder, steamy sex, and filthy language as standard daily fare for our young people? What in the world has happened to a society that is intent on rewriting every single discipline from algebra to geometry to history to be sure that those essential basic subjects are, first and foremost, absolutely politically correct? It has taken us over lock, stock and barrel. We are pulverizing essential knowledge and facts to pulp, easily digested by even the laziest and most undisciplined brains—baby pablum for the mind.

So, while we rage on here today about which political party will capture the education issue, let us remember that we are only skimming the surface with any and all of these well-intentioned solutions.

There is something much, much more fundamentally wrong with education in America today than a shortage of funding. The public school system had better shape up, or else public support for it is going to completely erode. And I, for one, am willing to try some new approaches—new approaches—anything that may help our most precious resource.

The Democratic party is not our most precious resource. The Republican party is not our most precious resource in this country. Our children are our most precious resource—our kids. And so I am willing to try some new approaches to achieve the kind of scholastic excellence that our children need and deserve.

My only hope is that someday—someday—in some effective manner, we will find the courage and the practical means to address what amounts to educational child abuse in this Nation in a bipartisan fashion.

It should not make any difference whether the right approach is Democratic or Republican. We ought to forget that stuff. That is mere junk partisanship. What matters is the education of our children.

There is no room for mere political jousting on a matter of such momentous importance to our people and to our Nation. And that is exactly what the country is witnessing in Washington with regard to the education debate—political jousting.

Mr. President, with U.S. high school seniors ranking 19th out of the 21 countries in mathematics, and 16th out of 21 countries in science, we must devote greater attention to stimulating excellence in education. Getting back to the basics is the obvious starting point, and we better start now.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SESSIONS). Under the previous order, there are 2 minutes of debate evenly divided.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Parliamentary inquiry. First, I think it has to be said that was a startling speech by the Senator from West Virginia that cuts to the core. I do not think much else needs to be said.

Mr. President, it is my understanding that we are now moving, by previous order, to the votes. The first vote will occur on the Levin amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. COVERDELL. Two minutes equally divided?

The PRESIDING OFFICER. Two minutes equally divided.

Mr. LEVIN. Let me thank the Senator from West Virginia for his comments.

AMENDMENT NO. 2303 TO AMENDMENT NO. 2299

Mr. LEVIN. The demands that are being made on teachers, as a matter of fact, are what is behind my amendment, which is to provide a credit to teachers who now have all these new technologies that are brought into the schools to help those teachers go back to learn how to utilize those technologies, should they choose to do so. These demands are huge. We are putting a fortune into computers, software and connectors to Internet and everything else, but we are only putting pennies into the professional development of our teachers.

This amendment would provide a 50 percent tax credit for the cost when those teachers go back for that training. It pays for it by not allowing the use of this new IRA in the K through 12 area because it is so skewed against public schools. That is the main point here. It keeps the IRA increase for college education, and it keeps other parts of this bill. But what it says is that withdrawals will not be permitted in the K through 12 grades because of the manner in which most of the money goes to private-school families, although they represent only 10 percent of the families with children in schools.

Mr. ROTH. Mr. President, I oppose the Levin amendment as it takes away the ability of parents to use educational IRAs to pay for K through 12 school expenses. It runs contrary to the whole purpose of the Coverdell bill, which is to allow parents greater resources to meet the educational needs of their young children.

Instead, Senator LEVIN wants to take these resources and expand the lifetime learning credit from 20 percent to 50 percent for those teachers who participate in technology training. A 20 percent lifetime learning credit is already available to teachers for continuing education, just as it is for members of other professionals. Let me remind my colleagues that the Coverdell bill already contains a provision that allows teachers to receive tax-free technology training provided by their employer, the school.

We all agree that it is vitally important for teachers to be proficient in the use of technology in the classroom, but this is not the way to do it. This amendment takes the resources of an expanded IRA from our families, our children, and creates a more distorted and complex learning credit.

For these reasons, I oppose this amendment and urge my colleagues to vote against it.

Mr. COVERDELL. Mr. President, I move to table the amendment offered by the Senator from Michigan, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment of the Senator from Michigan.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 61, nays 39, as follows:

[Rollcall Vote No. 99 Leg.]

YEAS—61

Abraham	Enzi	McCain
Allard	Faircloth	McConnell
Ashcroft	Feinstein	Murkowski
Bennett	Frist	Nickles
Biden	Gorton	Roberts
Bond	Gramm	Roth
Breaux	Grams	Santorum
Brownback	Grassley	Sessions
Burns	Gregg	Shelby
Byrd	Hagel	Smith (NH)
Campbell	Hatch	Smith (OR)
Chafee	Helms	Snowe
Cleland	Hutchinson	Specter
Coats	Hutchison	Stevens
Cochran	Inhofe	Thomas
Collins	Kempthorne	Thompson
Coverdell	Kyl	Thurmond
Craig	Lieberman	Torricelli
D'Amato	Lott	Warner
DeWine	Lugar	
Domenici	Mack	

NAYS—39

Akaka	Glenn	Leahy
Baucus	Graham	Levin
Bingaman	Harkin	Mikulski
Boxer	Hollings	Moseley-Braun
Bryan	Inouye	Moynihan
Bumpers	Jeffords	Murray
Conrad	Johnson	Reed
Daschle	Kennedy	Reid
Dodd	Kerrey	Robb
Dorgan	Kerry	Rockefeller
Durbin	Kohl	Sarbanes
Feingold	Landrieu	Wellstone
Ford	Lautenberg	Wyden

The motion to lay on the table the amendment (No. 2303) was agreed to.

AMENDMENT NO. 2299, AS AMENDED

The PRESIDING OFFICER. Under the previous order, the amendment numbered 2299, as previously amended, is agreed to and the motion to reconsider that action is laid on the table.

The amendment (No. 2299), as amended, was agreed to.

AMENDMENT NO. 2306

The PRESIDING OFFICER. There will now be 2 minutes of debate, evenly divided, on amendment No. 2306.

Mrs. BOXER addressed the Chair.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the remaining votes in this series be limited to 10 minutes in length.

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

The Senator from California is recognized.

Mr. FORD. Mr. President, parliamentary inquiry: How many votes are we having?

The PRESIDING OFFICER. Three additional votes.

The Senator from California is recognized.

Mrs. BOXER. Thank you, Mr. President.

Three weeks ago, my after-school bill was included in the budget agreed to by the Senate. It passed unanimously. Now what we are doing is authorizing the after-school program. It is paid for by cutting Government travel.

My friends, there is absolutely no national after-school grant program today. The after school program I am proposing today will have total local control. Community organizations and businesses will be brought into school buildings that now get padlocked at 3 p.m. when the juvenile crime rate goes up. That is why 170 of the Nation's leading police officers, sheriffs, and prosecutors endorsed after-school programs, so we can lift up our children and raise their academic performance, and keep them out of trouble. We cut Government travel to pay for this program and use school buildings that are lying fallow.

I hope we will have a strong bipartisan vote for this amendment.

Thank you.

Mr. HUTCHINSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, this is an old formula to identify a problem and then you create a new Federal program that might solve it.

There is a problem. There is a problem with after-school care. The solution is not to create yet another Federal program. We already have four existing programs that allow for after-school care. One of the problems with this amendment, or this program, would be that it would be school-based, school-run, and, therefore, prohibit scores of organizations like the YMCA that are currently providing for after-school care. They would be excluded entirely. There are 19 existing Federal programs that provide tutoring and mentoring for students on a one-on-one basis. So it is simply unnecessary to start a new Federal program at a price tag of $250 million. I ask my colleagues to oppose this amendment.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I ask for the yeas and nays on the amendment of the Senator from California.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 100 Leg.]

YEAS—49

Akaka	Dorgan	Landrieu
Baucus	Durbin	Lautenberg
Biden	Feingold	Leahy
Bingaman	Feinstein	Levin
Bond	Ford	Lieberman
Boxer	Glenn	Mikulski
Breaux	Graham	Moseley-Braun
Bryan	Harkin	Moynihan
Bumpers	Hollings	Murray
Byrd	Inouye	Reed
Cleland	Johnson	Reid
Conrad	Kennedy	Robb
D'Amato	Kerrey	Rockefeller
Daschle	Kerry	
Dodd	Kohl	
Sarbanes	Specter	Wellstone
Snowe	Torricelli	Wyden

NAYS—51

Abraham	Frist	Mack
Allard	Gorton	McCain
Ashcroft	Gramm	McConnell
Bennett	Grams	Murkowski
Brownback	Grassley	Nickles
Burns	Gregg	Roberts
Campbell	Hagel	Roth
Chafee	Hatch	Santorum
Coats	Helms	Sessions
Cochran	Hutchinson	Shelby
Collins	Hutchison	Smith (NH)
Coverdell	Inhofe	Smith (OR)
Craig	Jeffords	Stevens
DeWine	Kempthorne	Thomas
Domenici	Kyl	Thompson
Enzi	Lott	Thurmond
Faircloth	Lugar	Warner

The amendment (No. 2306) was rejected.

Mr. COVERDELL. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2309

The PRESIDING OFFICER (Mr. SMITH of Oregon). The question is now on amendment No. 2309, offered by Mr. COVERDELL. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order. The Senator from Georgia.

Mr. COVERDELL. Mr. President, this is the reading excellence amendment. It is designed to attack the reading deficiency. We have 40 million Americans who could not read a phone book or a medicine label. The President of the United States called for this initiative to be adopted by the Senate. Senator KENNEDY from Massachusetts spoke on behalf of the amendment. In deference to time, it is my understanding both sides will be agreeable to a voice vote, which I will call for after we have heard from the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I want to just commend Senator COVERDELL for focusing on the issue of literacy. As we know, President Clinton advanced a literacy program in 1996. Our colleague, Senator JEFFORDS, has been having the hearings on this literacy issue in his committee and has been a leader on literacy issues—child literacy, family literacy, and adult literacy programs. I am very hopeful we will have a good bill that will be strong and bipartisan in the very near future. So I hope everyone will support this program.

I want to just mention quickly the concern that I have is that it is too prescriptive in terms of how it develops the programs. The Academy of Sciences has outlined a series of ways

of doing it. I think we ought to consider that. It establishes a new State bureaucracy. I think we ought to build on the States. The tutorial programs are not school based, and I think they would be stronger if they were.

These are important issues, but what I think is enormously encouraging is that we have strong, bipartisan commitment to try to work out in the very near future a strong bipartisan literacy program. I commend Senator COVERDELL for developing this amendment and his strong commitment to work with all of us. We look forward to working with him to get a good, strong bill.

Mr. COVERDELL. I thank the Senator from Massachusetts. My understanding is that the Chair is prepared to call for a voice vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2309.

The amendment (No. 2309) was agreed to.

Mr. COVERDELL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2308

Mr. COVERDELL. Mr. President, am I correct that the pending business is the vote on the Bingaman amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. BINGAMAN. Mr. President, this amendment tries to begin to focus national attention and some resources on the problem of students who drop out of school before they complete high school.

In 1989, when President Bush and the 50 Governors met and set some national education goals for the country, one of those goals was that we would have at least 90 percent of our students complete high school before they left school. At that time, 86 percent of our students were completing high school before they left. Today, it continues to be 86 percent. We have done absolutely nothing to reach this very important national goal.

Mr. FORD. Mr. President, may we have order? It is getting a little out of hand here. The Senator from New Mexico deserves to be heard, the same as those on the other side.

The PRESIDING OFFICER. The Senate will come to order. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, thank you, and I thank my colleague from Kentucky.

This amendment is offered on behalf of myself, Senator REID, Senator FEINSTEIN, and Senator CHAFEE. It is bipartisan. It is an important bipartisan issue. We have always before, at least since the national goal was established in 1989, found excuses to not do anything to follow up and achieve the goal. This time we need to go ahead and commit some Federal resources to help local school districts solve this problem. This amendment is a step in that direction. I hope very much that people will support the amendment.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I rise in opposition to Senator BINGAMAN's amendment. Under the Senator's amendment, $125 million is authorized for grants in the first year alone. It would create an office of dropout prevention in the Department of Education. The amendment would allow for the creation of a dropout czar at the Department of Education.

As Senator FRIST so eloquently stated when the amendment was debated earlier, he suggested as chairman of the Budget Committee's task force on education that we look to creative ways to assist all of our students, proposals such as the block grant, which the Senate agreed to only yesterday, which will allow States and localities the flexibility to decide for themselves how to best spend education dollars.

Senator FRIST argued that this amendment adds yet to the complexity of an already encumbered Federal Department of Education. I call on my colleagues to oppose the amendment of the Senator from New Mexico.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2308. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 74, nays 26, as follows:

[Rollcall Vote No. 101 Leg.]

YEAS—74

Abraham	Dodd	Landrieu
Akaka	Domenici	Lautenberg
Baucus	Dorgan	Leahy
Bennett	Durbin	Levin
Biden	Faircloth	Lieberman
Bingaman	Feinstein	McCain
Bond	Ford	McConnell
Boxer	Glenn	Mikulski
Breaux	Graham	Moseley-Braun
Bryan	Gramm	Moynihan
Bumpers	Harkin	Murkowski
Burns	Hatch	Murray
Byrd	Hollings	Reed
Campbell	Hutchison	Reid
Chafee	Inouye	Robb
Cleland	Jeffords	Rockefeller
Collins	Johnson	Roth
Conrad	Kempthorne	Santorum
Coverdell	Kennedy	Sarbanes
Craig	Kerrey	Smith (NH)
D'Amato	Kerry	Smith (OR)
Daschle	Kohl	Snowe
DeWine	Kyl	Specter
Stevens	Torricelli	Wellstone
	Warner	Wyden

NAYS—26

Allard	Grams	Mack
Ashcroft	Grassley	Nickles
Brownback	Gregg	Roberts
Coats	Hagel	Sessions
Cochran	Helms	Shelby
Enzi	Hutchinson	Thomas
Feingold	Inhofe	Thompson
Frist	Lott	Thurmond
Gorton	Lugar	

The amendment (No. 2308) was agreed to.

Mr. COVERDELL. Mr. President, I move to reconsider the vote.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MODIFICATION TO AMENDMENT NO. 2299

Mr. COVERDELL. Mr. President, I ask unanimous consent to modify Amendment No. 2299, previously agreed to, making technical changes, which I have at the desk.

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

The modification is as follows:

Change the instruction line to read:

Strike section 101 as amended and insert the following:

EXPLANATION OF ABSENCE—VOTE ON AMENDMENT NO. 2305

Mr. CAMPBELL. Mr. President, prior to the noon hour today, the Senate cast a roll call vote on our colleague Senator DODD's amendment No. 2305 to H.R. 2646, the Coverdell Education bill. This vote to waive the Budget Act with respect to the Dodd amendment failed by a vote of 46–53. I was unavoidably detained in the Physician's Office of the Capitol, but would have voted against waiving the Budget Act. My vote would not have altered the final outcome of the vote.

Mr. LOTT. Mr. President, just so all Members will be aware of what we are talking about at this point—and I do not have a unanimous consent request ready at this moment, but I will have one momentarily for Senator DASCHLE to review—we will be having additional votes tonight. We try to accommodate Senators' schedules, but we believe we can get an agreement for final debate on the education bill and then have a recorded vote. That I presume would occur sometime around 7 o'clock, or earlier if some time is yielded back. That will be followed, if we can enter the agreement, by a debate of approximately 30 minutes on the resolution dealing with Northern Ireland and a vote after that.

I assume we will have then two additional votes tonight, and then we will have a further announcement about the schedule on Friday, but with no recorded votes on Friday, and Monday with likely recorded votes, at least a vote at 5:30 on Monday. But we will have that for each leader to review momentarily, and we will be asking for consent to that effect.

I yield the floor. Is any Senator seeking recognition?

I observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LOTT. In the interest of making sure we utilize all time that is available, we have here and ready to speak Senators who are interested in the resolution with regard to Ireland.

ACKNOWLEDGING THE HISTORIC NORTHERN IRELAND PEACE AGREEMENT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the current resolution regarding Ireland; that there be 30 minutes for debate only, equally divided between the majority and minority leaders or their designees; that no motions or amendments be in order, and at the conclusion of yielding back of time, we have the vote on the resolution on Ireland immediately following the education vote. So it would be stacked, those two—first the education vote and then the vote on the Ireland resolution.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LOTT. I yield the floor, Mr. President.

The PRESIDING OFFICER. The clerk will report the resolution.

The legislative clerk read as follows:

A resolution (S. Con. Res. 90) to acknowledge the historic Northern Ireland peace agreement.

The PRESIDING OFFICER. Who yields time?

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

The Senator controls 15 minutes on his side.

Mr. DODD. I thank the Chair.

Mr. President, I offer this resolution on behalf of myself, Senators KENNEDY, MOYNIHAN; the Democrat leader, Senator DASCHLE; Senator LEAHY; Senator LAUTENBERG; Senator KERRY; Senator MACK; Senator D'AMATO; Senator HARKIN; and Senator BIDEN.

Mr. President, today we are here considering this resolution when there are renewed hopes for peace in Northern Ireland, hopes that spring from the successful conclusion of 22 months of negotiations on April 10, Good Friday. I do not think it was mere coincidence that it was during Holy Week, one of the most sacred periods in the Christian calendar, that this small miracle occurred, the possibility of peace, political stability, and reconciliation for the 1.6 million people who reside in the six counties of Northern Ireland. Many people deserve credit and congratulations for making this small miracle possible.

First, we should commend the individuals who participated in the peace process for more than 3 years and stayed the course. It took courage on their parts, as Senator Mitchell noted, "to compete in the arena of democracy."

I think it is fair to say that one of the giants over the years in Northern Ireland and the Northern Ireland peace efforts has been John Hume of Derry, a long-time civil rights crusader and respected leader of the Social Democratic and Labour Party. John Hume deserves great praise for his tireless efforts over the past 30 years to bring peace to his people. David Trimble, president of the Ulster Unionist Party, and Gerry Adams, president of Sinn Fein, were also indispensable in making a final agreement possible.

They, along with other participants, deserve enormous credit for their persistence and determination, for their willingness to make honorable compromises so that the people of Ireland can look forward to a day when hatred and bloodshed are not part of their daily landscape.

Let me also take a moment, if I may, to mention a few of the other key actors in this drama who warrant special recognition. First, British Prime Minister Tony Blair, who made the search for peace one of his first priorities upon assuming office last year. He did so because he believed that the people of Belfast "deserve a better future than a life of bloodshed, murder and disharmony."

Equally important to the success of the process was the Irish Taoiseach Bertie Ahern, also was new to the office, who inspired trust and confidence in the nationalist community. They knew of his commitment to ensuring that any final agreement would protect and guarantee the rights, freedoms, and traditions of the Irish Catholic minority in the north.

It goes without saying that the American people can be justifiably proud of the role played by President Clinton throughout the process. Were it not for the President's vision, perseverance, and unwillingness to give up on the negotiations, we would not be here today talking about a new chapter in the history of Northern Ireland.

Perhaps President Clinton refused to be discouraged because he had looked into the eyes of so many men and women during his visit to Belfast in 1995 and saw how deeply they yearned for peace, most especially peace for their children.

Last but not least, there was Senator George Mitchell, our former colleague, who shepherded the parties to an agreement. As someone who served with Senator Mitchell, it came as no surprise to me that George found a way to overcome what at times appeared to be insurmountable differences among the parties.

With patience, evenhandedness and acute political skills, Senator Mitchell guided and empowered the parties to find common ground and finalize an agreement.

The tireless efforts of Ambassador Jean Kennedy Smith should also be acknowledged. She was there at every turn to keep everyone focused on what was happening throughout the process, and to ensure that at appropriate moments, the necessary encouragement from the United States was forthcoming.

I should mention as well that our own colleague, Senator EDWARD KENNEDY of Massachusetts, played a very, very important role over many years to encourage a political and peaceful resolution of the problems in the north.

There have been others of our colleagues here in this Chamber, Senator MOYNIHAN of New York, Senator LEAHY of Vermont, Senator MACK of Florida, and in the other body PETER KING of New York, Congressman NEAL of Massachusetts, BEN GILMAN of New York, JOE KENNEDY of Massachusetts all of whom have been deeply committed to finding a peaceful solution to Ireland's Troubles. I know there are others as well, but these are the names that come to mind immediately who, for many, many years sought to bring about a political and peaceful resolution to the violence in the north.

The 67-page final document is a complex mosaic of provisions that endeavors to address the interests and concerns of the two Northern Ireland communities, Protestant and Catholic, within a framework of democracy, justice and equal rights.

The April 10 agreement is in many ways the culmination of more than a decade of efforts by the British and Irish governments to broker peace in the conflicted North. The 1985 Anglo-Irish Accord, the 1993 Joint Declaration, and the 1995 New Framework for Agreement were all important milestones on the road to peace.

Perhaps the secret of success on this occasion was that all of the parties to the conflict were represented in the negotiations—each side setting forth for itself its concerns and aspirations. Those concerns and aspirations have in turn been interwoven into the final text of the accord.

The August 1994, IRA cease-fire and the cease-fire by the Combined Loyalist Military Command that followed shortly thereafter created the opportunity for these all inclusive negotiations to take place.

There were clearly anxious moments over the last several years during the quest for peace. To be sure, at times

the setbacks and disappointments that followed the promise of the 1994 cease-fire announcements, left all of us despairing that the situation was without hope.

You will recall, for example, that the peace process was dealt a near fatal blow on February 9, 1996, with the detonation of an IRA bomb in London—a blast that injured scores of innocent people.

Frankly, until the restoration of the IRA cease-fire last July, the Northern Ireland peace process had hit bottom, it had reached the point where, in the words of Irish poet Seamus Heaney, "bad news is no longer news."

We are now once again at a turning point in the history of Northern Ireland. The possibility of peace is as real as it has ever been.

As President Clinton has so aptly observed, "to engage in serious negotiations, to be willing to make principled compromises, requires courage and creativity."

The political leaders of Northern Ireland demonstrated that courage and creativity in finalizing this agreement.

It is now up to the people of Ireland—North and South—to ratify that agreement in the upcoming referendums. More importantly, it rests in their hands and hearts to make the words on that 67-page peace accord make a difference in the daily lives of every man, woman and child who calls Northern Ireland home.

On this day and in this Chamber, with what I hope will be the unanimous endorsement of every one of our colleagues, I pray, as everyone else does, that the people of Northern Ireland will have the courage, wisdom and foresight to do that.

Mr. President, I know my colleague, Senator KENNEDY, is here on the floor. If there is additional time, I ask unanimous consent for another 5 or 10 additional minutes for people to be heard on this issue if it is appropriate.

The PRESIDING OFFICER. There are 6½ minutes remaining. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, it is a privilege to join my colleagues, Senators DODD, MOYNIHAN, KERRY, LAUTENBERG, LEAHY, DASCHLE, MACK, and D'AMATO in sponsoring this resolution, which commends the many leaders responsible for the achievement of the recent historic peace agreement in Northern Ireland.

The agreement reached on Good Friday marks a turning point in the history of Northern Ireland. For too long, it has been a land synonymous with bloodshed, violence and hatred. But now Northern Ireland stands as an example to the world that agreement between differing ethnic and national groups is attainable.

The current troubles in Northern Ireland began in 1969 and raged mercilessly in the following decades, to the great distress of the many citizens there who wanted only peace and justice.

Many efforts to achieve a peaceful settlement over the years were unsuccessful. But finally, in December 1993, the Irish Government and the British Government issued a Joint Declaration, making it clear that if the groups resorting to violence declared ceasefires, their political representatives could join all-inclusive talks on Northern Ireland's future. The time was ripe, and a hopeful formula for peace had been found.

I give special credit for this historic achievement to John Hume, the leader of the Social Democratic and Labour Party in Northern Ireland, who has worked tirelessly and brilliantly for peace in Northern Ireland for the past quarter century. No one's contribution has been greater. When the final history of this extraordinary agreement is written, the name of John Hume will stand first.

The courageous decision by President Clinton to grant a visa for Gerry Adams, the leader of Sinn Fein, to visit the United States in early 1994 was a key step leading to the decision by the Irish Republican Army to declare a ceasefire in August of that year, and the Loyalist paramilitaries did the same in October 1994.

In the years that followed, there were many obstacles, setbacks, and crises to be overcome, but the parties never lost sight of the goal of the peace. A new British Government under Prime Minister Tony Blair was elected in May 1997, and a new Irish Government under Taoiseach Bertie Ahern came to power in June. Both leaders, with the strong support of Britain's Secretary of State for Northern Ireland, Marjorie Mowlam, committed themselves to peace, and worked skillfully and effectively to achieve it.

Negotiations including Sinn Fein and chaired by our former Senate colleague George Mitchell began, and Senator Mitchell's patience and determination were critical in guiding the talks to a successful conclusion.

Great credit also goes to Taoiseach Ahern and Prime Minister Blair. They made Northern Ireland their high priority, and constantly urged the parties to keep moving forward to agreement. President Clinton's continuing strong support was also indispensable in the success that was finally achieved. And so were the support and encouragement of my sister, Ambassador Jean Kennedy Smith, who has done an outstanding job as America's Ambassador to Ireland for the past five years, and whose early insight into the possibilities for peace helped launch this all-important peace process.

The participants on both sides in the talks also deserve great credit. They had the courage to sit down to negotiate, and to produce a fair agreement that reflects the aspirations of Nationalists and Unionists alike. Truly, they are all profiles in courage.

On May 22, the agreement will be voted on in separate referendums by the people of Ireland, North and South. Last Saturday, David Trimble, who deserves great credit himself as a principal architect of the peace agreement, succeeded in obtaining the overwhelming endorsement of the Ulster Unionist Party for the agreement. I hope that the leaders of all the parties will work as hard and as effectively for a "yes" vote to convince their followers of the merits of this agreement.

Hopefully, the people of Ireland and Northern Ireland will approve the agreement in the referendums to be held next month, so that implementation of the agreement can begin. An Assembly must be elected. Changes must be made in the policing and the criminal justice systems to reassure both Nationalists and Unionists that they will receive equal protection under the law. Nationalists and Unionists will have to work together in partnership. After decades of animosity, this challenge is still very real, but Northern Ireland's parties can rise to meet it, as the events of Good Friday have proved. And they will have the continuing strong support of the United States as they do so.

I thank the majority leader for scheduling this resolution in an extremely pressed time. Given the historic agreement that has been reached, it is entirely appropriate that the Senate speak on this issue. We are very, very appreciative that the majority leader is giving us the opportunity in a very busy time to consider this resolution and support it.

Mr. DODD. Mr. President, if my colleague will yield, I also thank the majority leader. I know the pressures he is under. Everything is terribly important. As my colleague from Massachusetts said, he is gracious to allow us to bring this up at this particular time.

I ask—I know there are others, including our colleagues from Florida, New York and others, who want to be heard on this issue who may not be able to make it over to speak—that the RECORD be left open so their comments on the resolution appear prior to the adoption of the resolution.

If it is appropriate, I ask for the yeas and nays on this resolution.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LOTT. Mr. President, I ask unanimous consent, for those Senators who would like to have their statements on this resolution inserted, that they be inserted at this point in the RECORD. I know Senator MACK, who had gotten away before we made these arrangements, would like his remarks included at this point.

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

Mr. KERREY. Mr. President, I rise today to offer my support to the Resolution being debated on the floor this afternoon. I am proud to be a cosponsor of this important statement of Senate support for the Northern Ireland peace agreement. Like my colleagues, I believe the settlement in Northern Ireland is an historic opportunity to bring peace to a remarkable people that have suffered from violence for far too long. And as a nation with deep cultural ties and personal attachment to Ireland, I believe we can all take a moment to be hopeful that a new era of peace and prosperity in Northern Ireland is now possible.

First, I would also like to use this opportunity to offer my congratulations to our former colleague George Mitchell for his role as Independent Chairman of the multiparty talks. Despite long odds and numerous setbacks, Senator Mitchell has demonstrated diplomatic skills that can only be learned by being Majority Leader of the Senate. His actions have truly been a credit to our nation.

Mr. President, for the first time in centuries there is hope that a lasting peace can be achieved in Northern Ireland—I think our words today fail to capture the importance of this opportunity. The agreements that led to the April 10 accord are the result of brave actions by both Protestant and Catholic political leaders, and the desire to find a solution to the cycle of violence that has virtually imprisoned all of the people of Northern Ireland for decades. I am confident, when given the chance to vote in the May 22 referendum, the people of Ireland will take the opportunity to send a strong message to their political leaders of their desire to continue to move forward in this process.

In our euphoria over the recent agreements, we must not forget that lasting peace will only come with continued diligence. We must not allow the opponents of peace in Northern Ireland to use terrorism to destroy what has been painstakingly built so far. Mr. President, with our strong support for this resolution we send an unmistakable signal of our willingness to continue to work with any and all people in Northern Ireland dedicated to bringing about a peaceful and lasting settlement.

Mr. MOYNIHAN. Mr. President. I rise as an original sponsor of the resolution acknowledging the historic Northern Ireland peace agreement. In adopting this resolution, the Senate will demonstrate its strong support for this agreement which has been so long in coming.

When I first came to the Senate in 1977, Senator KENNEDY, Speaker O'Neill, then-Governor Hugh Carey of New York, and I joined together and issued this St. Patrick's Day statement:

> We appeal to all those organizations engaged in violence to renounce their campaigns of death and destruction and return to the path of life and peace. And we appeal as well to our fellow Americans to embrace this goal of peace, and to renounce any action that promotes the current violence or provides support or encouragement for organizations engaged in violence.

Now, finally, one of the oldest conflicts in Europe has the potential of healing and being resolved. A courageous agreement has been reached in Northern Ireland. We in the United States Senate can be particularly proud of the role that our former colleague and leader George Mitchell played in mediating this agreement. He deserves no less than the Nobel Peace Prize.

The search for a just and lasting peace in Northern Ireland has entered a most promising stage. This resolution indicates the strong support of the United States Senate for this historic agreement. May it fulfill our hopes.

Mr. FEINGOLD. Mr, President, I rise today to commend the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from New York (Mr. MOYNIHAN) for introducing S. Con. Res. 90, which acknowledges the historic Northern Ireland peace agreement, and congratulates the individuals who made the agreement possible.

Just today, in my home state of Wisconsin, leaders representing all sides of the Northern Ireland peace process gathered in Milwaukee for a National Symposium on Prospects for Peace in Northern Ireland, sponsored by the George F. Kennan Forum on International Affairs. Mr. President, this conference was planned long before the historic peace agreement was announced. I am pleased that the attendees were able to come to Milwaukee with a viable agreement already on the table. The speakers at today's conference, who were involved in the negotiations of the peace agreement, discussed both the agreement itself and prospects for a lasting peace in Northern Ireland.

In light of this resolution, I want to repeat some of my remarks for the peace symposium.

The recent agreement reached by the parties to the conflict in Northern Ireland offers real hope for an end to three decades of violence in that troubled land. This historic step is the product of a new commitment to peace by parties on all sides of this longstanding conflict.

It is proper that this resolution commends President Clinton for making the search for an end to the conflict in Northern Ireland a top foreign policy priority. My former colleague, Senator George Mitchell, deserves special recognition from this body for his leadership in helping move the parties to an agreement. Above all, we commend the leaders from all sides of this conflict, many of whom worked tirelessly on this agreement, and had the will to put ancient hatreds aside and make peace their priority.

Now the success of the agreement rests in the hands of the people of Northern Ireland, who continue to review the details and, eventually, will have the opportunity to express themselves democratically through a referendum. Let us hope that all the parties will be able to commit to this process and that none will turn to the sectarian violence of the past. It is now the duty of all who seek peace to resist the efforts of those who may seek to undermine the accords through violence.

As a member of the Senate Foreign Relations Committee, I believe this agreement signals new hope for longstanding conflicts around in the world. Just a few years ago, many saw the conflicts in South Africa and Northern Ireland as intractable, but today one has been peacefully resolved and the other has made tremendous progress, as we recognize with this resolution.

So, Mr. President, I am happy to support this resolution with hope for the future, and commend the brave leaders who have taken a risk for peace in Northern Ireland.

Mr. CHAFEE. Mr. President, on Good Friday a landmark agreement was reached in Northern Ireland to start down the road to bring to an end decades of violent hostilities, and reshape fundamentally the political institutions of that province. All Americans have reason to be very pleased that the many competing political factions in Northern Ireland were able to resolve their longstanding, bitter disagreements.

Today I want to express my particular appreciation of the splendid efforts of President Clinton's Special Advisor on Ireland, former Senate Majority Leader George Mitchell. It comes as no surprise to me that those closest to these negotiations believe that were it not for the tireless efforts of Senator Mitchell, this agreement would not have been reached. Having worked with Senator Mitchell for nearly fifteen years on many complex issues, I can certainly attest to his unique ability to forge an agreement that most thought unachievable.

Senator Mitchell's many fine attributes served him well in the U.S. Senate, and helped prepare him for the tremendous challenges he faced as chairman of the multi-party talks in Northern Ireland:

He has the patience to listen to the contentions of people whose differences have existed for some three hundred years. Twenty-two months of talks may well have worn out a less capable, less disciplined person.

Senator Mitchell also brought with him to Belfast the Senate's respect for full and fair debate. As chairman of these talks, he ensured that all voices at the table were permitted to speak. He knew well that in the end, a successful agreement required that all parties felt that they had been listened to.

He possesses unrivaled negotiating skills. When needed, Senator Mitchell called upon Prime Ministers Blair of Great Britain and Ahern of Ireland, as well as President Clinton, in order to urge the participants to keep the talks alive. He also had the strategic thinking to set a deadline to end the talks.

Senator Mitchell was persistent in bringing about this agreement. Despite the long odds, he never gave up in his core belief that newborn children in Northern Ireland deserve the same chance as his six-month-old son to have peace, stability and reconciliation.

Finally, Senator Mitchell believed in compromise. Unionists and nationalists were clearly far apart when these talks began, as they had been for decades. Senator Mitchell was able to forge an agreement that gave just enough to both sides so that each could declare victory. Indeed, this ability to bridge differences helped create our very nation, as our Founding Fathers crafted a Constitution that satisfied the big states—that sought representation by population—and the small states, that sought representation by states.

Mr. President, George Mitchell's accomplishment in Northern Ireland makes us all very proud of him and proud of American values and ideals. In announcing the Good Friday Agreement, he stated, "it doesn't take courage to shoot a policeman in the back of the head, or to murder an unarmed taxi driver. What takes courage is to compete in the arena of democracy as these men and women are tonight."

Senator Mitchell knows the value of this competition of ideas from his days in this institution. He recognizes that a government which upholds this competition of ideas serves its people best. The people of Northern Ireland have recognized this basic truth as well. We salute George Mitchell, a true statesman who has helped begin the end of one of the world's most intractable conflicts.

Ms. SNOWE. Mr. President, today I rise to express my support for Senate Concurrent Resolution 90, which acknowledges the historic Northern Ireland Peace Agreement reached just two weeks ago.

Both the governments of the Republic of Ireland and the United Kingdom have worked for many years to facilitate a peaceful resolution to the conflict in Northern Ireland that has cost so many lives and caused so much suffering. Ultimately, it was the willingness of the representatives of Northern Ireland's political parties to adhere to the principles of non-violence that helped create an atmosphere that led to this most historic agreement.

I commend all those who helped lay the groundwork for this achievement: Prime Minister Tony Blair, Prime Minister Bertie Ahern and President Clinton for their dedication to the peace process. And I am especially proud of my former colleague, Senator George Mitchell, for his patient and herculean efforts to heal the deep wounds of this tragic conflict.

It will come as no surprise to my fellow Mainers and my Senate colleagues that Senator Mitchell would be unduly modest in recognizing the role he has played. As he noted, it may be true that the agreement alone "guarantees nothing." But it does bestow the precious gift of hope upon a people who finally have "the chance for a better future."

In his quiet, understated way, George Mitchell brought individuals who had been in conflict for the past thirty years out of the shadows of distrust and into the light of faith—faith in a nonviolent, democratic resolution. As one of the participants in the talks commented, "Here the United States sent one of its most able, skilled, talented, humble politicians, a supreme diplomat, and frankly we didn't deserve him."

That is a poignant and appropriate tribute to a man who has helped bring the promise of peace to a region most deserving of its blessings. As one who served with him in the Congress for nearly 15 years, I am proud to extend my gratitude to Senator Mitchell for his extraordinary work. And I do so knowing that the honor which would please George Mitchell most would be the true and lasting success of the remarkable agreement he helped to broker.

May the Northern Ireland Peace Agreement finally bring an end to the fear and suffering, and may the future of Northern Ireland be as bright as the spirit and potential of her extraordinary people.

Ms. COLLINS. Mr. President, it was Samuel Johnson who said in 1777 that the knowledge that you will be hanged in a fortnight does wonders to concentrate your mind. In 1998, former Senate Majority Leader and Maine Senator George Mitchell proved the truth of this aphorism by giving the Northern Ireland peace talks a deadline, placing upon these negotiations the equivalent, if you will, of a "sunset" provision that left the parties no alternative but finally to come up with a real solution.

This deadline accomplished its purpose: it concentrated their minds wonderfully, and this led directly to the historic Stormont Agreement. Some years ago it scarcely seemed possible to imagine a Northern Ireland in which children could grow up without fear of sectarian violence and bloodshed. Today, however, this brighter future is not only imaginable—it is very nearly here.

That Senator Mitchell should possess such statesmanship and political acumen is, of course, no surprise in my home state of Maine. Senator Micthell is greatly admired in this country for his work on behalf of Maine and on behalf of all Americans. Today, however, the people of Northern Ireland and the Republic of Ireland—and peace-loving people everywhere—also owe Senator Mitchell a great debt for helping steer these talks to their successful conclusion.

It is my great hope that with his statesmanship and steady hand, Senator Mitchell has now made it possible to achieve a real reconciliation in Northern Ireland—and for the Irish people to go about building their future together, in cooperation rather than in conflict.

And I am very pleased that the Senate tonight will pass legislation expressing our support for the Irish peace process and the brighter future represented by the Stormont Agreement.

Mr. MACK. Mr. President, I am proud to join my colleagues in the United States Senate in congratulating the people of Northern Ireland for their tremendous courage and perseverence which allowed for the signing of the historic peace agreement. With continued political leadership and the inspiring dedication of the Northern Ireland people, I am optimistic that peace may be at hand.

I traveled to Northern Ireland this past January. In fact, I arrived on the date that the latest initiative which led to the peace agreement arrived: January 12. During three days there, as the parties reviewed the details and held discussions with their constituencies, I developed a deep admiration for the political leaders who eventually accepted this agreement.

The concurrent resolution which we are submitting today seeks to thank all of the people who contributed to this peace agreement; I wish to personally thank all of the people who spent time listening to and talking with me.

Mr. President, I learned a great deal about politics and courage from the representatives of the political parties in Northern Ireland. I found that politicians in Northern Ireland share many of the challenges that politicians face in the United States Senate. Specifically, they often spend hours of each day in very difficult negotiations which may result in dramatic changes in the lives of those they represent. Following these meetings, they face their constituencies and justify their actions. The difference, however, between our jobs and theirs lies in the stakes. These people literally risked

their lives by engaging in the peace process; they risked their lives to endorse this agreement; and they continue to bear this risk as the process continues.

Mr. President, the American people recognize the incredible risks these leaders take, and we thank them. To these brave men and women, however, the reward diminishes the risk. If this agreement succeeds as planned, it may alter the course of history. Because of this brave sacrifice, the people of Northern Ireland have the promise of security, freedom, prosperity and an end to indiscriminate killings and terrorist acts.

Mr. President, our concurrent resolution thanks a lot of people. But for me, the most inspiring people I met were outside of Belfast. The role of the community leaders cannot be overemphasized. While the negotiations proceeded in Belfast, at homes, neighborhoods and towns across the region, people were building local relationships which crossed borders and communities. These are the true heroes of the peace process. The people I met are making changes and making a differences where they live. They support the political process, but were not waiting around for anything coming from the capitals. Spending time among the people in the border regions, with the strongest faith in their abilities to make a difference in their own towns and neighborhoods, I became convinced that peace had a chance in Northern Ireland.

I salute all of the people of Ireland and Norther Ireland today who have labored for peace. They are the driving force behind the peace process, and they will make it work.

Mr. LOTT. I have a few remarks I would like to make on this.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I thank Senators KENNEDY and DODD for their comments. I thought it appropriate today, without another day going by, that the U.S. Senate express itself on this very important issue on behalf of the American people. That is why we made sure that we brought it up and had these few minutes to discuss this resolution, and that we put on the record our salutations to those who have been involved in these negotiations. We offer our congratulations to all the participants in the negotiations. I think they deserve recognition for their willingness to make honorable compromises in order to reach this agreement.

I think particular credit goes to our former colleague, Senator George Mitchell, for his persistence and his doggedness. Frankly, I wasn't sure that it could be pulled off, but he stayed with it. I think we owe him a debt of gratitude for his work.

Also, of course, I commend Prime Minister Tony Blair and Taoiseach Bertie Ahearn for their involvement and leadership. I believe the American people are proud of the contributions the United States and our President have made to this effort. We hope it will lead to approval in the May 22 referendums. Most of all, we hope it will lead to a lasting peace in Northern Ireland. That is the desire and that is the prayer of the people in Northern Ireland, in America and, hopefully, throughout the world. I endorse this resolution.

I have no further request for time. I am prepared to yield back the remainder of our time.

The PRESIDING OFFICER. All time is yielded back.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, Senator DASCHLE and I have been communicating. We do have an agreement we think is a fair way to conclude the debate on the education bill and also an agreement with regard to how the State Department reorganization conference report will be considered.

UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. Mr. President, I ask unanimous consent that the Coverdell A+ education bill be advanced to third reading and that there be 3 hours 40 minutes of remaining debate time, to be equally divided in the usual form; and that following the conclusion or yielding back of time, the Senate proceed to a vote on passage of the Coverdell A+ bill.

I am hoping that Senators have had an opportunity to say what they need to say on this. Those who want to make closing remarks will be free to do so under this agreement, but it would be all right with the majority leader and the Senate if we did not have to use the full 3 hours 40 minutes. At that time, we will have a recorded vote, if this agreement is entered into, on the education bill, followed by a vote on the Irish resolution.

I further ask unanimous consent that at 10 a.m. on Friday, the Senate begin consideration of the conference report to accompany the State Department reorganization bill under the consent agreement of March 31, and that the vote occur on adoption of the conference report at 5:30 p.m. on Monday, April 27, with 10 minutes of debate remaining for closing remarks to be equally divided just prior to the vote.

I further ask unanimous consent that when the Senate reconvenes on Monday, April 27, following morning business, the Senate proceed to executive session to consider the NATO enlargement treaty.

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

Mr. LOTT. Mr. President, for the information of all Senators, we will have two votes back to back around, I presume, 7:30, hopefully. Then we will have the State Department reorganization debate on Friday, with no recorded votes. The next recorded vote after tonight will be at 5:30 p.m. on Monday. We will have no other subject debated on Monday other than NATO enlargement. We will stay on NATO enlargement until Senators feel they are prepared to vote. Hopefully, by having that debate Monday and votes on amendments perhaps on Tuesday and Wednesday, we can come to a conclusion on Wednesday, but we will not hurry this most important issue and deliberation of the Senate with regard to the NATO enlargement treaty.

Therefore, that will be the schedule for the remainder of this week and through some part of Wednesday of next week.

I yield the floor, and we can now begin the debate.

EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Under the order just stated, the Senate will now resume discussion and debate of H.R. 2646.

Under the previous order, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from the great State of California.

Mrs. FEINSTEIN. Mr. President, I have not had an opportunity to speak on this bill. I take this opportunity to do so now.

Prior to yesterday, it was my full intention to vote for this bill. After yesterday, I regret to say I have some serious problems with it and cannot vote for it at this time, but I will, if the problems are remedied, vote for this bill when it comes out of conference.

Let me speak just briefly about what the problems are and then why I think the Coverdell-Torricelli bill is so important and groundbreaking.

Yesterday, this body accepted on a 50-to-49 vote an amendment to convert over $10 billion in currently targeted Federal education funds to a block grant to States. With adoption of this amendment, our efforts to direct limited Federal funds to national priorities are obliterated. Funds for disadvantaged students, funds to make schools safe and drug-free, funds for meeting national student achievement goals—virtually gone.

For ESEA Title I, the bill as it now stands deletes important requirements:

Requirements for student performance standards and assessment, something that I believe is vital if we are going to change the downward trend of public education in this country.

Requirements for evaluating a program's effectiveness. How could someone oppose that?

Requirements to take corrective action if programs are not effective. You mean, don't change a program if you find out it is not effective?

And requirements that Federal funds not supplant State and local funds. That was the Gorton amendment.

Secondly, that same day the Senate adopted, on a 52–47 vote, an amendment which would prohibit voluntary national testing of students. Last year, this body worked out a bipartisan compromise on reading and math testing under which States and local school districts could participate in national achievement tests, if they wished, voluntarily. Many, including several school districts in California, have agreed to participate. A good thing. Without national tests we have no way of comparing student performance, therefore, the success of individual States in educating their students from State to State. This was the Ashcroft amendment. It would abolish these voluntary tests.

Both of these amendments run counter to my very strong education beliefs. And more importantly, I believe they obliterate any chance of a veto being overridden by this body. I think that is really too bad, because I was one Democrat who was planning to vote to override a Presidential veto if necessary because I believe the Coverdell-Torricelli bill breaks important ground which I, frankly, am pleased to stand and support and defend.

I have heard the bill called a lot of things: "A voucher system." In my view, it isn't. A "subsidy to private institutions." In my view, it isn't. A "gift to the wealthy." In my view, it isn't. I have heard it said that it is "bad education policy." I disagree. "Bad tax policy." I disagree.

What this bill is, is an encouragement to save for education in a society that lives on credit and saves very little. In my book, that is good. I intended to vote for this bill.

Last year, as you all know, we had the IRA savings accounts for higher education of $500. Both political parties thought that was good. That would be extended to $2,000 and extended down through elementary school by this bill, whether the family that saves wants to spend that money in a public institution, a private institution, a religious or a parochial institution. I think that is good, sound public policy.

I have heard it said this is only for the rich. I suppose the reason for that is because these special savings accounts would be available to couples earning under $150,000 and single people earning under $95,000. And some people say, "Why should we give them any benefit?" Well, let me tell you, in my view, saving for education makes sense, whether you make $30,000 a year or $90,000 a year. It is good and we should encourage it. Of course, it may not be politically correct, but if it makes education a higher priority or a little easier, even better, what is wrong with that?

Let me speak for a moment on how Americans save.

The U.S. personal savings rate has been dropping for some time. In 1997, it fell again from 4.3 percent in 1996 to 3.8 percent in 1997. The U.S. household personal savings rate for 1996 was 4.4 percent; compared to Japan, with its troubled economy, at 12 percent; Germany at 11.4 percent; France at 12.8 percent; and Italy at 13 percent. So the United States saves about two-thirds less than any of these countries.

I'll give you an example of what is good about this bill. Let us say you are a struggling single mother, as I was at one point in my life. I earned less than $30,000 a year. I was a single mother with a young child. I could not save; that is true. Nonetheless, if I had had an uncle who saw an incentive like the tax incentives in this bill, and said, "Aha, she's got problems now. Let me start a savings account for her little girl," I would have appreciated it. This savings incentive would be available to a parent, a grandparent, an uncle or an aunt.

So if a grandparent can contribute to a grandchild's education, when the mother of that child only earns $25,000 or $30,000 a year, what is wrong with that? That is good. And if they want to spend that savings in a private school, in a public school, in a parochial school, I say, what is wrong with that?

I am a strong supporter of public schools, but I must tell you that I reject the thinking that says there is only one way to look at strengthening education, that is that you can only push it in one direction. What this underlying bill does is to encourage people to save for education and then use their savings for education.

What I like about this bill is it does just that. It says, if you send your child to a public school, you can use this bill perhaps to buy them a computer. You can use this bill to get them tutors or to send them to a special after-school program or you can use this bill to buy their school uniforms. Or if you are lucky enough or want to send your child to a private school, yes, you can use this money you saved, or the child's grandparent or the child's aunt or the child's uncle saved, you can use that to educate this child.

In a country where public education and other education is weak, why wouldn't we want to encourage savings for education? In the first place, families can talk about it. "Oh, I'm going to contribute to a savings account for my granddaughter. And here's where it's going to go. And here's how it's going to be used. And when she needs it, here's what's going to be there." I think that is healthy for this country.

I commend both authors, both Senator COVERDELL on the Republican side and Senator TORRICELLI on the Democratic side. I think this is an important bill. The Joint Tax Committee has estimated that 58 percent of the tax benefit would accrue to those taxpayers filing returns with children in public schools. Fifty-eight percent would go to families who have children in public schools. So I do not believe this is a bailout for the rich. I do not believe it will help only the affluent.

In California, a high-cost State, the cost of a home mortgage, a car loan, insurance premiums, clothing, recreation, are all high. Believe it or not, families that earn $90,000 a year have a hard time saving.

In California, out of the 13 million tax returns filed, 10.4 million, or 78 percent, of these returns reflect earnings under $50,000. The average per capita income in California in 1998 is $28,500. Here is where the grandparents or an aunt or an uncle could really help out.

Additionally, one out of every four students in a California school lives in a single-parent home. Again, 25 percent of the students are in single-parent families.

I was in Los Angeles, meeting with a group of African American mayors of cities surrounding Los Angeles this past week, and a woman whom I very much respect from Watts, California, came up to me and said, "Hey, Dianne, tell me about this bill. Does this mean that if I can save this money, I can save it for my grandchild?" And I said, "Yes, Alice, it sure does." And she said, "That sounds pretty good to me." Well, I have to tell you, it sounds pretty good to me, too.

Only 51 percent of California's homes have a personal computer. Among Latino households, only 30 percent own a computer.

In my State, we rank 45th out of 50 in student-to-computer ratios, with 14 students for every computer, compared to the national rate of 10 students for a computer. We rank 43rd in network access. Our education technology task force has called for an $11 billion investment to put technology into K through 12 classrooms. Computers in the home can supplement those in the classroom. And this is a way for a grandparent, an uncle, a niece, to help with that.

Another important part of the Coverdell-Torricelli bill that no one is talking about are the incentives for college education. This bill helps in three ways. First, it increases the allowable contributions to education IRAs that we created last year for college education. It raises them from $500 to

$2,000. That is important in California because tuition is so high now, even in public institutions. This makes it possible.

Second, again, it expands those who contribute to include those other than parents. These changes should encourage many more Californians to save for a college education. I say let's try it. Let's watch it. Let's see what happens.

Finally, the bill allows interest earned in qualified State tuition plans to be exempt from Federal taxation. This could increase participation in California's new Scholarshare Trust Program. Effective January 1, 1998, this program authorizes participants to invest money in a trust on behalf of a specific beneficiary and it defers payment of State and Federal income taxes on interest earned, on investments in the trust, until benefits are distributed. Any California family or any person can open an account and distributions are authorized for all expenses of attending college. In the view of the Postsecondary Education Commission, the bill before us could enable Californians to save $25 million annually in Federal taxes, savings that can then be devoted to education.

Let me just indicate increases in college tuition are outpacing increases in income. Total expenses during the 1997–1998 school year to attend the University of California at Berkeley were $13,169—a year; at UC San Diego, $13,400; California State, Chico, $10,000. For private schools, the cost in 1996–1997 of attending my alma mater, Stanford, was $30,410—when I went there, we ran costs of about $1,200 a quarter. Now it is $30,000 a year; at Occidental, $26,000; University of the Pacific, $25,000.

California's public colleges and universities have been told to prepare for a 24 percent increase in enrollment by the year 2005, which translates into almost half a million additional students. The California Postsecondary Education Commission has predicted that our public college and university system will need about $1 billion in new revenues per year through 2006 to maintain existing facilities.

The PRESIDING OFFICER. The Senator from California has spoken 15 minutes. She can seek more time if she so desires.

Mrs. FEINSTEIN. This bill is not the end-all, be-all solution to the problems of our schools. But it is a good step.

It is my intention to vote against this bill at this time because of the two additions I cited earlier. If the Gorton and Ashcroft amendments come out in conference and the appropriate tax incentives to save for education remain, I will vote for this bill and I will vote to override a Presidential veto.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. I yield 15 minutes to the Senator from Minnesota, Senator WELLSTONE.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 15 minutes.

Mr. WELLSTONE. The U.S. Senate is about to pass a bill that deals with education and then send it to the President.

Now, when I go back to Minnesota—and when I am in Minnesota I try to be in a school every 2 weeks—here are some of the questions that students might be asking me about this education bill.

"Senator," or "PAUL," will this legislation reduce the class size or the size of our classes so that our teachers will be able to give us more attention so we won't have to sit on a radiator because there is not enough room in the classroom?" By the way, I don't speak just for Minnesota but I speak for a lot of schools I visited in this country. My answer will be no, though I would like to be able to say to those students yes, because I know how important class size is to whether or not they receive a good education.

"Senator, will there be any money to renovate our school?" I was just meeting with a group of students from one of our schools, a middle school in Minnesota, the community of Cambridge. They were talking about some of the problems that they have. "Senator, will there be any money to rebuild our schools?"

Or as I think about some of the schools I visited around the country, and if I was talking to other children, they might be saying to me, "Senator, the roofs are caving in, the building is decrepit, the air-conditioning doesn't work during the warm spring months, the heating system doesn't work well during the cold weather months. Is there any money to invest in the infrastructure, because we don't have the wealth in our communities to do this?" My answer will be, "No, not in this piece of legislation."

"Senator, will this bill train teachers to use technology so they can incorporate that into their teaching—because we are hearing that it is so important for us to be technologically literate to compete in the economy. Will that happen?" And my answer will be no.

How about other people who work with children, people who are down in the trenches? This is their life's work. This is their passion. They say to me, "Senator, did you in this education bill put any money into early childhood development so that when children reach kindergarten they will be ready to learn?" And the answer will be no.

Then another question will come: "Senator, what about after-school care?" I think about the Boxer amendment. "Did you put any money into good community-based after-school care programs?" A lot of us with teenage daughters and sons worry a lot about where they are and whether or not there would be something positive for them to do after school. "Did you all do anything in this legislation to help us?" And the answer will be no.

Then to make matters worse, with some of the amendments that have passed, I heard my colleague from California speaking, now we have block grant amendments that passed. So as a national community, what we used to say was we are a nation. We do not want to grow apart, we want to grow together. We make certain commitments here in the Senate and here in the House of Representatives representing our Nation. We are a national community with certain values and priorities. By golly, one of them is title I. We want to make sure that children who come from families in difficult circumstances—low and moderate income and other problems—get some additional support, and our schools get some additional support so they can give these kids some additional help.

Now there is no assurance that will happen. There is no assurance that we will have the same commitment to safe and drug-free schools. We now have with this piece of legislation $1.6 billion or $1.7 billion—what we have done is not just a money issue. It is not just a lack of investment in crumbling schools. That is not there. It is not just the lack of investment in smaller class sizes. It is not there. It is not the lack of investment in enabling teachers to get more training for uses in technology. It is not there. It is not just a great step backward where we don't invest the money in public education.

I don't know what slice of the population we are talking about, but I will tell you there are not a lot of Minnesotans who can just take $2,000 and put it into savings. What about the vast majority of people who don't have those dollars, who are concerned about the communities they live in and the schools their children go to, public education?

This isn't a great step forward for public education or education for children; this is a great leap backward. Now we have done something else, I say to my colleagues who supported this initial framework. What we have done through amendments passed on this floor is undercut what has been a historic national community commitment to title I, to children who need that additional help. This is not a step forward; this is a great leap backward.

Mr. President, I will tell you, this piece of legislation is a piece of legislation that does not do well for many, many children in our country. We should be able to do much better. If we were to think about the best kinds of things we could do to make sure that children would do well, that we could have good education for all of our children, we would have put a lot of emphasis on smaller class size, and there

is no emphasis on it; a lot of emphasis on early childhood development, and there is no emphasis on this; a lot of emphasis on after-school programs, and there is nothing in this legislation; a lot of emphasis on rebuilding crumbling schools.

What kind of message do you think these children get when they walk into these dilapidated buildings? The message is that we don't value them. But there is nothing in this legislation that deals with that. Mr. President, what we also would have done is, we would have focused not just on the children, but we should be focusing also on the parent or parents. The two most important explanatory variables in determining how well children do are the income status and the educational status of their parent or parents. We don't put the emphasis on that. We don't put the emphasis on making sure there is health care there and good jobs and family income. We don't put the emphasis on smaller class size. We don't put emphasis on rebuilding crumbling schools. We don't put emphasis on preschool, early childhood development or after-school programs. What we do is undercut and wipe away a major commitment that we have made to the title I program and funds for kids from low- and moderate-income families.

This piece of legislation is not a great step forward; it is a great leap backward from a commitment to public education, from a commitment to children and families all across the United States of America, from a national commitment to making sure that we expand opportunities for all of the children in our country.

This piece of legislation doesn't do that. It may pass, but it will be vetoed by the President. And I will say to my colleagues that I am sorry, because I guess, with the exception of some Senators who have a different view, this is by and large a difference that we have on the two sides of the aisle. I look forward to this national debate. We will be debating education. In a way, this exercise—I would not call it meaningless. People spoke. But the truth of the matter is that everybody knows the President is going to veto this bill. He has made that clear. In that sense, all of us have felt a little uneasy about this week. But the debate will go on, because this issue of education, this issue of our children, whether our children will get good educational opportunities so they will do well in their lives—this is an important issue to families in North Dakota, Connecticut, Minnesota, and all across the country.

As a Democrat, I am telling you, we are going to take this issue out and about the country. We are going to have a discussion, dialog, and debate. This piece of legislation, especially with these amendments, represents a huge step backward, and I want people in the country to understand that on this issue, the differences between the Democrats and Republicans makes a huge difference.

I yield the floor.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. Who yields the Senator time?

Mr. LIEBERMAN. Mr. President, I have been authorized to confirm the time allocated to the Senator from Georgia, Mr. COVERDELL, and yield myself up to 15 minutes.

The PRESIDING OFFICER (Mr. COATS). The Senator is recognized for up to 15 minutes.

Mr. LIEBERMAN. Mr. President, I rise today to voice my support for the Parent and Student Savings Account PLUS Act, which I am pleased to join Senators COVERELL and TORRICELLI in cosponsoring, and also to urge my colleagues to give this bill a full and fair hearing before making up their minds on it.

The core of this legislation is similar to a provision that passed both houses of Congress as part of the Taxpayer Relief Act of 1997, but was stricken out before the President gave his final approval. The Taxpayer Relief Act authorized the creation of an Education IRA that would allow parents to set aside up to $500 each year in a tax-free account to help pay for their children's college education, a provision that I cosponsored. Senator COVERDELL succeeded in adding an amendment that would permit parents to also use this Education IRA to pay for elementary and secondary education costs, but that provision was ultimately dropped from the final version of the Taxpayer Relief Act at the request of the Administration.

The bill we are considering today, H.R. 2646, mirrors the modifying amendment that Senator COVERDELL offered. It would increase the annual contribution limit for the Education IRA up to $2,000, and then expand the definition of "qualified expenses" to also allow families to withdraw money from the account without penalty for K–12 expenses, such as tutoring, tuition, books, uniforms, computers and special services for disabled students. Like the original Education savings account, this expanded version would be targeted at the broad range of working and middle class families with dependents under 18 years old, limiting eligibility to those households with annual income of less than $160,000.

Judging this proposal on the merits, it makes eminent sense. At a time when parents are growing increasingly concerned about the quality of K–12 education their children are receiving and when many educators are trying desperately to spur greater parental involvement in their children's schooling, the expanded Education savings account would encourage parents to invest directly in their children's education, from kindergarten all the way through to graduate school, and take a more active role in the lives of their sons and daughters. And at a time when many parents are seeking more choices for their kids, especially for the students who are trapped in failing and unresponsive local schools, this bill would help make private or parochial school a more affordable option for those families who decide that is the best choice for their child, or in some cases, the only chance to get a decent education.

For the average family, this plan would provide a significant incentive to set aside some of their savings for the myriad costs they may face in helping their children reach their full potential, such as the after-school math tutoring an underachieving child needs to reach grade level, or the new computer a budding programmer needs to upgrade his skills, or the special classes a dyslexic students needs to take to overcome her disability, or even the price of tuition a family needs to pay to ensure that their child can learn in a safe, disciplined environment. According to an analysis by the Joint Tax Committee, if a family with annual income of $70,000 contributed the maximum each year to the expanded IRA, they would accumulate a savings of more than $17,000 by the time their first child was age seven, while saving $1,000 in taxes. By the time that same child was ready to start high school, the account would be worth $41,000, and the tax savings would top $4,300.

Those are significant sums of money, which could be used for immediate needs when children are growing up, or in many families, could be reserved primarily to help meet the financial burden of going to college. The choice is up to each individual family on how to spend their money—which is an important point to stress, that we are talking about after-tax income, not the "government's" money, not a tax credit or even a deduction. It is the parent's money, not the government's. The modest tax benefit we are proposing would simply reward them for saving for their child's future, which is exactly why we passed the original Education savings account with strong bipartisan support.

This is all reasonable and sensible, which leaves me puzzled as to why some are attacking this bill as if we were proposing to destroy public education in this country as we know it. Judging from the overheated rhetoric we have been hearing, this plan is little more than a backdoor attempt to funnel money into private schools at the expense of public schools and create a new tax shelter for the wealthy. It would "do nothing to improve teaching or learning in our public schools," in the words of one group; instead, it would "undermine support of public

education," in the words of the another. And a third organization seethed that this bill is really "private and parochial school vouchers masquerading as tax policy."

For those of us who have fought the school choice battles in the past, the nature and vehemence of these criticisms is familiar. Last fall, for instance, we called for the creation of a small pilot program here in Washington, D.C., that would have authorized $7 million to provide 2,000 disadvantaged children with scholarships to attend the school of their choice, without a dime away from the amount requested by the D.C. public schools. For that Secretary of Education Richard Riley, a man I truly admire, went so far as to suggest that our bill would "undermine a 200-year American commitment to the common school."

But what is surprising in this case is how utterly disconnected the current criticisms are from the bill we are considering today. Let's start with the fact that this measure does not remotely resemble a voucher or scholarship plan, nor does it target aid to private schools. This is a savings account bill, one that simply raises the contribution limit for the existing education savings account and gives parents the choice to use some of those savings for K–12 expenses. It is unequivocally neutral on its face—it does not distinguish between public school parents and private school parents. It is meant to help all parents, and the truth of the matter is that the clear majority of parents who are expected to take advantage of it—70 percent, according to the Joint Tax Committee—will have their children in public schools. To suggest otherwise is to ignore the growing variety of educational costs that many public school parents face these days, and overlook the tens of thousands of parents who are turning to places like Sylvan Learning Center to help improve their children's skills.

The critics of the education savings account legislation are also off base when they proclaim that it would do absolutely nothing to help public education. To see why, I would urge my colleagues on both sides to re-read the President's major educational priorities. Both the President and the Secretary have rightly argued that stimulating greater parental involvement is critical to reaching all seven of the Administration's top goals, particularly when it comes to improving reading proficiency. The Secretary believes it is so essential that he established a broad-based national initiative—the "Partnership for Family Involvement in Education"—to better engage parents. The bill we are debating today, H.R. 2646, will help by encouraging parents across the country to save for the future and take a more active role in their children's schooling. It will not singlehandedly raise test scores or prompt millions of new parents to join their local PTAs. But is will complement and reinforce the work that the Secretary and many national and grassroots education groups are already doing, and for that reason it is worthy of our support.

Perhaps the most vexing criticism of this super Education IRA plan is the notion that it will only benefit the wealthy. The language of the bill explicitly refutes that point, and I would urge my colleagues to read it for themselves. They will see that it precludes any individual parent with income above $110,000 or any couple above $160,000 from contributing to an expanded IRA. I would also urge my colleagues to refer again to the Joint Tax Committee's analysis of the bill, which projects that 70 percent of the tax benefit from the expanded IRA will go to families with annual incomes less than $75,000—middle class families. And I would urge them to consider the provision in the bill that allows any corporation, union, or non-profit organizations to contribute to IRAs for low-income students. The growth of donations to private scholarship funds across the country—more than $40 million has been raised since 1991 for programs in more than 30 cities, including one in Bridgeport, Connecticut—suggests that there are many generous groups who would be interested in lending their support to an Education IRS for a disadvantaged child.

Mr. President, in making these points, I harbor no illusions. I recognize that a relatively small number of poor families will likely benefit from the expanded IRAs, and that these accounts will primarily help middle and upper middle class families who have the means to maintain them. But that is a significant chunk of our populace, and most of them are financially stressed in trying to meet the costs of home, family and school. If this bill can spur them to invest in their children's education and generate parental involvement, then it will serve a valuable purpose.

Moreover, I would also say to my colleagues that if they truly want to target aid to disadvantaged children who are not being well-served by the status quo, then they should support legislation that Senator COATS and I have sponsored that would establish low-income school choice programs in several major cities. These pilot programs would give thousands of poor students the opportunity to attend a better school and realize their hopes of better future, while providing us as policymakers an opportunity to examine what impact this kind of narrowly-targeted, means-tested approach would and could have on the broader education system. Many of the supporters of the bill we are debating today also have expressed strong support for the Coats-Lieberman bill, so it's just not accurate to suggest that the sponsors of the education savings account legislation are merely interest in helping the well-off.

Nevertheless, the opponents of this bill continue to insist that we are wrong no matter what the facts say. Last year, many of my Democratic colleagues and many of the leading educational groups voiced their strong support for the original Education IRA as a boon to middle class families struggling to pay for college. Today they turn around and attack the same concept with the same income caps—let me repeat, the same exact income caps—as a sop to the rich. The difference, of course, is that parents would have the choice to use the savings from the expanded IRA for K–12 expenses for public and private schools students, or college or both.

That distinction is so significant to our cities that they are willing to eliminate the part of the A+ Accounts bill that would increase the contribution limit for the IRA from $500 to $2000, which would give millions of parents an even greater incentive to save for college, in order to prevent us from providing a modicum of relief for elementary and secondary costs. That facet of the bill has gotten lost in all the hyperbole of this debate, and it bears repeating: Beyond allowing parents to use the IRA to pay for K–12 expenses, this measure would significantly enhance their ability to meet the burden of paying for college. In fact, according to the Joint Tax Committee, the clear majority of the additional $1.64 billion in tax benefit that this bill would extend over the next 10 years would go to families who are saving for higher education, a very important purpose for them and for our country in this education age. That is something that the critics of this super Education IRA are reluctant to acknowledge. According to them, practically every last penny from this bill will end up in the coffers of private elementary and secondary schools. On the contrary, most of the money saved will go to colleges and universities.

Hearing these misdirected attacks, I can't help but ask why so many thoughtful, well-intentioned educational groups are engaging in so many logical contortions to bring down this bill. To answer that question, I would repeat the simple theory I offered last fall during the rancorous debate over the D.C. scholarship bill: Love is blind even in public policy circles. I fear that our critics are so committed to the noble mission of public education that they have shut their eyes to the egregious failures in some of our public schools and insisted on defending the indefensible. And they are so conditioned to believing that any departure from the one-size-fits-all approach is the beginning of the end

for public schools that they refuse to even concede the possibility that offering children a choice could give them a chance at a better life while we are working to repair and reform all of our public schools.

In this week's debate, we are seeing this reflexive defensiveness again. We are not discussing a voucher bill. We are not attempting to give nay Federal money to private schools. We are proposing a modest plan to help families—not public school families, or private school families, but families of all kinds—provide the best educational opportunities for their children. It sounds a lot like the G.I. bill or the guaranteed student loan program, which we all support. But because some parents who take advantage of these accounts and the small tax benefit we are offering will choose to send their children to private schools, this bill is seen as anathema by some.

Mr. President, as the consideration of this bill proceeds, I would appeal to my colleagues to lay down their rhetorical arms and listen—not to be bipartisan co-sponsors of the bill, but to the people we are trying to help. Yes, they want smaller class sizes, and yes, they want safer and sturdier public schools, and yes, they want better-trained teachers. But those are not reasons to oppose this bill. In addition to seeking more money to improve our public schools, parents increasingly are demanding more choices for their children—be it in the form of public school choice, charter schools, or scholarships for low-income kids to attend a quality private or parochial school. And they are seeking more of a focus on results rather than a defense of the system and all who function in it.

Poll after poll confirms this. For the sake of this debate, let me cite just a few. A recent survey by the Center for Education Reform found that 82 percent of parents said they would support efforts to give them the option of sending their children to the public or private school of their choice. A much-quoted study done by the Joint Center for Political and Economic Studies last year found that 57 percent of African-Americans and 65 percent of Hispanics favor the use of vouchers to expand opportunities for low-income students. And even Phi Beta Kappa, which is openly skeptical of private school choice, found in its annual poll on public attitudes towards public schools a slim plurality of Americans would now support a program using tax dollars to pay tuition at private school for some children. If my colleagues need any more evidence, I would point them to the mushrooming charter school movement, where parents and teachers hungry for alternatives to the status quo have started more than 700 new schools from scratch over the last five years, with hundreds more to open next fall.

The bill we are considering today cannot and will not guarantee greater choices for every family. But it does offer a progressive response to the public's pleas for innovative educational solutions that focus less on process and more on children. That, in my mind, is what is truly at stake here in this debate. We cannot walk away from our responsibility to fix what ails our public schools, to set high standards, and demand greater accountability in meeting them. But in doing so, we must not be so defensive in our thinking that we reflexively rule out innovative options that deviate a scintilla from the prevailing orthodoxy.

That is why I have urged my colleagues to give choice a chance. That is why I have urged this body to give charters a chance, which I am proud to report we did last year in raising Federal funding by 60 percent for this fiscal year. And that is why I am appealing to my colleagues today to give this Education IRA bill a chance. By doing so, we can prove that it is possible to encourage parents to invest in their children's future without disinvesting in our common schools. And hopefully we can begin to change the dynamic of what for too long has been a disappointingly dogmatic and unproductive debate on education policy in this country and lay the groundwork for a new bipartisan commitment to putting children first.

Mr. President, again, this bill is part of a host of responses to a reality to, I think, all of us here in this Chamber, which is that while we have many extraordinarily positive things going on in our system of education in this country, while we have tens of thousands, hundreds of thousands, of gifted and, I would say, heroically successful teachers, while we have excellent schools—public, private, and faith-based—in our country, the fact is that the status quo in American elementary and secondary education is not working for millions of our children.

The Senator from West Virginia, Mr. BYRD, spoke today with eloquence, with force, and with truth about the extent to which education, which has always been the way in which we have made the American dream of opportunity real for generations of our people, and which is even more necessarily so today because of the highly informational, technological age in which we live—how that ticket to a better life is being deprived to millions of our children today, who are going to school in buildings that are in shabby shape and schools that are unsafe—not only are the buildings unsafe, but it is unsafe to be there in many cases. Too often, they are taught—and I use the word advisedly—by teachers who are not prepared in the subjects that they are supposed to be teaching. Too many parents are wanting to help their children more, but they are too burdened economically to find a way to make that happen. Class sizes are too large, and professional development of teachers is not what it should be.

Mr. President, I view this A+ Act, these A+ accounts, as one thoughtful, progressive response to that problem. It is not the solution to the problems that face American education and our children today. The fact is that there is no one answer to those problems. And the shortcoming of the debate that we have had here and the political jousting that is going on here—too much of it partisan—is that this debate is being framed as if it were a multiple-choice question on an exam for which there is only one right answer. That is not reality. There is not one right answer. The underlying bill here—the A+ accounts—is a thoughtful part of an answer. Many of the amendments offered, such as one regarding school construction, and class size, and Senator BOXER's on after-school education, are all part of the solution. And there are other decent, constructive, thoughtful answers to the crisis.

I hope we can find a way—and I hope it is after we pass this bill, which I strongly support—to put aside the jousting and figure out a way to sit down together and find common ground that is aimed at benefiting the millions of schoolchildren in this country who are not being adequately educated today. That is going to require all sides to drop some of the orthodoxies, to drop some of the prejudices, to drop some of the political reflex instincts at work here today, and to go forward not to develop issues for the next campaign but to develop programs for the next school year for our children. That is the way I approach this legislation.

This is similar to a provision that passed both Houses of Congress as part of the Taxpayer Relief Act of 1997 but was stricken out before the President gave his final approval. The Taxpayer Relief Act did authorize the creation of an education savings account that would allow parents to set aside up to $500 each year in an after-tax account to help pay their children's college education—a provision that I was proud to have cosponsored. The income limits in that proposal were exactly the same as in the proposal before us today. That proposal enjoyed broad bipartisan support. No one called it a sop to the rich at that point, because it certainly was not. It was a helping hand to middle class families who are trying to send their kids to college to better educate them and to figure out how to do it without putting an enormous financial burden of debt on their backs.

Senator COVERDELL and Senator TORRICELLI have had the imagination to simply take that idea and increase the amount of money that could be put in up to $2,000, and make it, as the debate has made clear, applicable to elementary and secondary education as

well as college, and to make it available for use by parents for both public school students and for students of those parents who choose to send them to private or faith-based schools.

This bill could be called "the private GI bill." It is really, in principle, no different than the GI bill that is one of the great accomplishments of the American Government in the postwar period. I say "private" because the money isn't governmental, the money is the parents'. It is the families' own money that they put into the accounts. Then they decide how they want to use it to benefit their child's education and to put their child on a path to self-sufficiency in this technological information age.

Some people talk about this bill as if it were the beginning and the end for public education. How could that be so? This is the beginning of an assist to parents of working middle class families, to encourage them to save some money so that they can help us better educate their children. Our priority in this country has been and always will be public education. That is where most of our children will be educated. That is where most of our effort must be put. But the crisis that plagues too many of our schools today forces us to focus on results. What are the results of the education system? What are we getting for the money we are putting into it and not on protecting the status quo?

I view this not as a revolutionary proposal. Not at all. It is a modest, thoughtful, progressive, cost-efficient way to help parents better educate their children. Let's not forget that one of the elements of the administration's education program is to get parents more involved in their children's education.

I urge my colleagues on both sides of the aisle to reread the President's major education priorities. Both the President and the Secretary of Education have rightfully argued that stimulating greater parental involvement is critical to reaching all seven of the administration's very worthy, right on target, top education goals, particularly when it comes to improving reading proficiency. The Secretary believes it is so essential that he established a broad-based national initiative, a partnership for family involvement in education to better engage parents.

The bill we are debating today I am convinced will help by encouraging parents across the country to save for the future and to take a more active role in their children's schooling. It will not singlehandedly raise test scores or prompt millions of new parents to join their local PTA. But it will complement and reinforce the work of the Secretary of Education, the great work that he and many national and grassroots education groups are already doing. For that reason alone, to encourage more parental involvement in our children's education, I think this proposal is worthy of support.

Mr. President, as I see you in the Chair, the Senator from Indiana, it reminds me to make this point. Some have said that this bill is a sop to the rich because of the income limits. In my opinion, it is a helping hand to the middle class working families. The reality is that the poorest families in our country probably will not have the money. I hope they can find some to put into these tax-free education savings accounts.

But I appeal to my colleagues. If you really want to help give a boost to poor children, if you are looking for a program that targets aid to those who are most disadvantaged, please take another look at the low-income school scholarship choice programs that the Senator from Indiana and I have tried in vain to convince 60 of our colleagues, 58 besides ourselves, to support so we could at least give these programs a test. Those programs are totally means tested. There is no sop to the rich there—not even a helping hand. It is to the middle class and directed totally to the poorest of our citizens.

Mr. President, let me make two final points. I listened very carefully to my colleague and friend, the distinguished Senator from California, who is troubled by at least two of the amendments that have been put forward, both of which I voted against, one by the Senator from Washington and the other by the Senator from Missouri. Her decision, which I respect, is to vote against this bill because of those amendments.

My decision, because of my strong support for the underlying bill, the idea of these empowering education savings accounts, is to vote for the bill with the amendments, although I oppose the amendments, but to appeal to all of our colleagues who will sit on the conference committee on this measure to remove those amendments, to bring them back on another day, so that they do not jeopardize the enormous accomplishment that we can make by passing the underlying bill.

I want to say specifically with regard to Senator GORTON's amendment on block grants that he spent a lot of time on it and he did a lot of good work. It is a very thoughtful proposal. It is significantly improved—if I could use that judgmental term at least in my frame of reference—from the last time he presented it to the Senate. I know he has met with education groups about it. But the reality is, in my opinion, that it is too large a change. The underlying bill, that is significant, as I have said, is not revolutionary. Senator GORTON's amendment is revolutionary. I think appropriately it ought not to be passed after a brief debate as an amendment to another bill; it ought to be considered in the fullest of time next year, when the Congress will take up the reauthorization of the Elementary and Secondary Education Act.

The final point is this: I hope beyond the effort to take these controversial amendments off, which are guaranteed to bring a Presidential veto, that the conferees will break out of the tug-of-war mode that the two sides are in and see if we can't find common ground. I have great respect for the Senator from Georgia, whose imagination built on the education savings account, the bill we passed last year, and made it into this excellent A+ account proposal. I know he has not spent the time which he has, as well as Senator TORRICELLI and others, just to pass a bill that is vetoed by the President and nothing happens. I know him well enough to know that he is not looking—if I may speak directly—for an issue, he is looking for an accomplishment, as all of us are.

The PRESIDING OFFICER. The Senator's 15 minutes have expired.

Mr. LIEBERMAN. I ask my colleague from Georgia for simply an additional 2 minutes.

Mr. COVERDELL. I yield another 2 minutes to the Senator.

The PRESIDING OFFICER. The Senator is recognized.

Mr. LIEBERMAN. I thank the Senator.

My appeal is that when this bill passes, as I am convinced it will, that the conference committee, or meetings outside the conference meeting, including representatives of both parties, both Chambers, and the administration, sit down together and see if we can't put a package together that includes these education savings accounts, the A+ accounts, and opens the door and includes some of the proposals that have been made by some of my Democratic colleagues in this debate and are favored by the administration.

I think that is the way to have the result of all of this debate this week to be more than noise and issues to carry into the campaign. That is the way to have this debate result in some real change, some real hope of reform in America's educational system, and, most specifically and in a more personal way, some real hope for a better future for the millions of children in America who are not being given that chance for proficiency because we are not giving them the educational tools they deserve.

I thank the Chair. I thank the Senator from Georgia.

I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I yield 5 minutes to the Senator from Georgia, Senator CLELAND.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CLELAND. Thank you, very much.

Mr. President, I would like to commend the senior Senator from Georgia, my dear colleague and friend, Senator COVERDELL, for his stick-to-itiveness in bringing this issue to the floor of the U.S. Senate. He has worked hard on the Parent and Student Savings Account Act. This bill is the product of many long hours of hard work and compromise and collaboration, and Senator TORRICELLI and other members of the Finance Committee deserve praise for bringing this issue to the floor.

I would like to state for the record that I had planned to support final passage of the Parent and Student Savings Account (PLUS) Act as reported out of Committee. In addition to the education savings account provision in the bill, H.R. 2646 contains a number of measures that further increase education opportunities for students, including the expansion of employer-provided education assistance to cover graduate courses, an allowance for individuals to make withdrawals from State tuition program accounts on a tax-free basis, and a provision providing an increase in the small issuer rebate exception for bonds used to finance school construction, all of which I strongly support.

And I also support the education savings account provisions, especially the expansion of the credit for savings for college education, which have caused most of the controversy on the bill. While the Parent and Student Savings Account (PLUS) Act as reported by Committee was a modest and moderate bill and certainly was not the final answer to the education problems currently facing our country, I believe that by making additional resources available for education this bill represented a step forward and I had every intention of supporting it.

Unfortunately, yesterday the Senate voted, by a one vote margin, to attach an amendment to this bill which I can not support, and which is neither modest nor moderate in impact. Senator GORTON's block grant amendment greatly concerns me and I believe that it is a risky experiment that will undermine the legitimate, but limited, federal role in support of public education.

Senator GORTON's amendment would block grant funds for about one-third of the programs administered by the Education Department including those for bilingual education, Title I programs which are targeted to poor, disadvantaged school districts, Safe and Drug-free Schools, and education technology. Some of these programs date back to the Eisenhower Administration. We cannot turn back the clock on programs such as these. The Gorton amendment will undermine the federal commitment to improve the nation's schools and opens the doors for abandonment of national commitments to disadvantaged and disabled students and other priorities established over the years by a bipartisan consensus in Congress.

In spite of the fact that this idea was first advanced many months ago when the Senate took up last year's education appropriations bill, no hearings have been held on this block grant proposal nor has there been any committee review of its impact. As I stated earlier, this amendment affects one-third of the federal education programs and would, in effect, radically restructure the administration of over $10 billion of federal education dollars. I believe that it is premature and irresponsible for this body to pass legislation that would make such sweeping changes to the federal role in education based on thirty minutes of debate.

As a strong supporter of state and local decision-making I fully support our current educational system which vests most authority for education at the level of government closest to students and parents, usually local school boards, with the federal role largely limited to the provision of supplemental financial assistance. However, I also believe that federal involvement, while limited, is necessary and that the Department of Education provides an appropriate oversight function to ensure basic educational standards, civil rights protections, program quality safeguards as well as overall accountability.

I realize that there are many problems with today's schools. Our schools and our children, unfortunately, mirror many of the problems of our times. Drugs, gangs and weapons have infiltrated many of our schools and are adversely affecting our children. Student educational attainment is too low in far too many of our school systems. Combating these problems will take the best efforts of parents, teachers, administrators and governments at the local, state and federal level.

In addition to Senator GORTON's amendment I also am very concerned about Senator ASHCROFT's amendment which will prohibit spending Federal education funds on national testing. I believe that voluntary national achievement tests will empower parents and local school districts to assess how well their students are performing. Such measures will give parents insight into how their children are doing and how well their children's school is doing. From the voluntary tests, we will be able to determine if a child needs help, if a class needs help and if a school needs help. In direct conflict with the bipartisan compromise on national testing so painstakingly crafted last year, the ASHCROFT Amendment will deny states and localities the right to utilize voluntary national tests to measure student learning and improve education so that all students will meet high academic standards, particularly in math and reading.

Again, I would like to reiterate that I would have voted for the Committee-approved version of H.R. 2646, which was a modest and moderate pro-education bill. However, due to the adoption of the block grant and national testing amendments, in my view the current version of this legislation does more harm than good and I cannot in good conscience vote for it.

I say to Senator COVERDELL, who has put in many, many hours on behalf of this legislation, if these objectionable amendments are removed in conference, and I hope they will be, I will be pleased to vote for the conference report.

I thank the Chair.

Mr. COVERDELL. Mr. President, I am going to yield to the Senator from New Jersey whatever time he will need, but I also take this moment to acknowledge the enormous work he has provided as a principal cosponsor from the beginning. He has been tireless, dedicated, thoughtful, and a great ally.

I yield to the Senator from New Jersey.

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

Mr. TORRICELLI. Mr. President, I thank Senator COVERDELL for yielding the time and for his very gracious comments and, very importantly for the country and for the States, his extraordinary leadership on this issue.

Mr. President, I will concede that when this debate began I believed we were entering upon something very important, that after years of fooling ourselves about the quality of education in America, the Senate was about to undertake a broad and comprehensive debate—indeed, a discussion that could last not simply for this year or this Congress but through the decade—about how we fundamentally reform education in America, a debate in which everything was relevant and all subjects and proposals would come forward but one, and that is the defense of the status quo, because if there is one aspect of American life today that cannot in its entirety be defended, it is the quality of education that we are giving our children.

The process of education in America today stands like a dagger at the heart of this country. It is time to speak the truth to parents and children alike, because it is not simply that the education of our country is not of a quality to compete, the problem is more fundamental—because many parents, working hard, paying their taxes, helping their children, believe they are being educated to world-class standards when they are not.

The simple answer to the question, what can be said about the future of a country where one-third of its students may enter the work force functionally illiterate, 40 percent of fourth graders

cannot meet minimum standards of math, 40 percent of eight graders cannot read at basic levels, the simple truth is a country that is teaching its children to those standards has a very limited economic future and cannot maintain its current quality of life or perhaps even social stability.

That is the sad truth about our country today. And so I believed that when Senator COVERDELL brought this legislation forward, we would be laying the foundation for an extensive debate about what we do about private and parochial schools, what we do about the public schools, that we would incorporate the best of President Clinton's ideas and that of the Democratic and Republican leadership and set out an agenda to carry us through the years in this great debate.

It was sadly, it appears, Mr. President, not to be. There are aspects about the Coverdell legislation that have been said so many times and yet it is as if those who do not agree simply do not want to hear. Among those, sadly, I must say, my friend and a man that I admire as much as any in this country, the President of the United States, Bill Clinton. I heard the President yesterday say this is another form of a voucher, it is support for the wealthy, it is an abandonment of the public schools.

It is worth stating one more time before this debate concludes so, no matter what the vote and however people may choose to cast their votes, we understand the simple truth. No one ever contended that the Coverdell legislation was an answer for every problem of education in America. If you are voting for it because you believe in one vote you solve all problems, you will not only be disappointed but you will be dishonest in casting your vote. It is one idea to deal with one set of problems. It does these things. But not as its critics have contended.

Last year this Senate voted to establish savings accounts for college educations. In that instance, as on this day, we did not want this benefit to go to the wealthy alone. With limited resources, we wanted this benefit to go to middle-income people and working families. So we established income limits, $160,000 for a family, $110,000 for a single parent. Those are the same limits that are in this bill. If you came to this floor last year establishing savings accounts for college, believing you were targeting these resources to the middle-income people—and you did—on this day you have the same chance with the same limits of providing the same opportunity to the same families. This is a middle-income program. Yet it is argued this is just another form of a voucher.

Senator COVERDELL and I differ on the question of vouchers. He supports them. I do not. In either case, this is not a voucher. A voucher is a system whereby you take a drawing right upon Government money and you transfer that money from a public school to a private school. Under the Coverdell proposal, all the money being made available is your money. It is a family's savings, not the Government's. The public schools will not receive one dime less, not one dime less because we establish these accounts. All we are using, or allowing to be used, is the family's own money.

At the end of the day, as Members of the Senate come to this floor to cast their votes, the issue is really more simple than it might otherwise appear. Senator COVERDELL's proposal will provide a net increase over these years of $12 billion in new resources for American education, public and private. Who among us, knowing the test scores of our students, the quality of their instruction, the challenge to our country, would argue that this $12 billion should not be made available when it draws nothing from the Treasury, puts no restraint upon our resources, but simply allows families to join the fight for a quality education?

Now the question arises, of that $12 billion, what else does it bring? Because, you see, not only is it not drawing upon Government resources but it draws upon another powerful idea. Through most of the life of this country, the education of a family, a child, a whole generation, was not seen as the responsibility of a school board or a government alone. It was grandparents and aunts and uncles, employers, a whole community was part of educating a child. Somehow, through the years, education became a government issue alone. The government will always be central to education, in raising the resources and hiring teachers and assuring quality, but part of the genius of this proposal is that through these savings accounts, on every holiday, on every birthday, on every occasion, aunts, uncles, grandparents, employers, labor unions, churches, can also put their money in these accounts to help educate these children. It is an invitation to the American family and community to get back into the process of educating American children.

Yet, it is argued, those who may now concede maybe it doesn't just go to the wealthy, and maybe after this final argument they will concede maybe it is not government money, maybe it doesn't hurt the public schools—but what does it do for most American students who have these accounts? It bears repeating, because it goes to the heart of the issue of educational quality. I hope these accounts allow us to maintain a system of private education—be they Yeshivas or private or parochial schools, so parents have a legitimate choice of where to send their children. That choice and that competition has served America well in every other aspect of American life. I doubt it is a complication and I doubt it will fail to provide quality in education, as it does in all other areas of American life.

But the fact of the matter is, too, these accounts are not just about maintaining a private school system in the country free of constitutional challenge by not using government money. The simple truth is, 90 percent of the students in America go to public school. We cannot begin to deal with issues of educational quality unless we also deal with public schools. Simply because most of these students go to public schools, by logic most of this money will go to public school students. The Joint Committee on Taxation has informed the Congress that 70 percent of this money, 70 percent of the beneficiaries of this money, will be public school students. Because under the proposal of Senator COVERDELL, this money is available not simply for tuition to private schools, but after-school activities: Transportation after school, the hiring of tutors, home computers, books, software.

It is an acknowledgment that education in the 21st century is not any longer just about a teacher, a desk, and a student. Learning will take place throughout the day, throughout the year, in many avenues of learning. How many middle-class and working-class families in America can afford to buy home computers, pay the cost of hiring a public school teacher to teach in the evening or after school when a child is having trouble with her studies? How many can buy the software so a student can do the research? How many can afford the after-school transportation, the uniforms, the athletic equipment, things that a generation ago as students we took for granted? They are not available anymore. Or they weren't necessary then, like tutors or home computers. But they are necessary now.

For those who come to the floor and argue about the social justice of it, whether or not this is being made available to the broad majority of Americans, consider this. There is a new dividing line in America of opportunity and it is access to knowledge and education. Mr. President, 60 percent of American families do not have home computers. Their ability to research, to write, to learn when they are not in school, to be competitive, is being compromised. Public education, the great leveler in America, can have two tiers—those families who have money for these ancillary purchases and those who do not; those who can afford tutors and those who do not, to participate in advanced math and science.

Under the Coverdell proposal, these accounts are available to ensure that those 60 percent of Americans who do not have access to this technology can buy it through these accounts. Indeed,

it is worse than it appears on its face. In the minority communities, 85 percent of African American families do not have access to home computers. This is an opportunity, it is an avenue where many of these families—admittedly not all—many families can save their own money to prepare their students.

Yet it will be argued by people of good faith who genuinely care about education, who will come to this floor and argue that, well, it may do those things, some students in the public schools may get home computers, some may get tutors, and in the private schools some working families may be able to keep their children in schools who couldn't do it otherwise, but it won't help everybody, it won't help a third of the students, 20 percent of the students, 10 percent of the students. They could not be more right. I have not heard Senator COVERDELL argue, and certainly this Senator has not argued, that this is a prescription that will help every student in every way in every educational problem in America.

I challenge one Senator to come to this floor with one idea that will do that. This is a single idea, not the last idea. It may not even be the best idea, but it is an idea that does help the problem of education in America. Let me address that for a moment, if I can, frankly in a partisan sense.

For many years, members of my party proudly have been able to contend that the issue of education in America, in access and in quality, belonged to the Democratic Party. Indeed, from student loans to student lunches, title I through the vast array of 40 years of education programs, much of those programs were authored by Democrats in this Congress. It is one of the things that led me proudly to be a member of the Democratic Party.

But if at this late date in our Nation dealing with our education problems we are about to engage in a partisan competition, if there is to be an upward spiral of competition in ideas for who can serve the cause of quality education, then it is a debate not only worthy of the country, but important for our future.

Education savings accounts need be neither a Republican nor a Democratic idea. Last year in establishing such accounts for college, they were authored by President Clinton himself. This year, Senator LIEBERMAN, Senator BREAUX, Senator BIDEN, myself, and others have joined in this effort with Senator COVERDELL to establish these accounts. This does not mean that we subscribe to the notion that this is a replacement for either the President's program or other proposals. Indeed, I began my remarks today by stating some profound disappointment. This legislation is worthy of being passed. It would be better if Senator CAROL MOSELEY-BRAUN's legislation for school construction were included. With two-thirds of American schools in fundamental disrepair, needing serious construction, the Federal Government should be involved, and the President's proposal, as advanced by the Senator from Illinois, should be included.

Senator KENNEDY's proposal, in advancing the proposal of President Clinton for 100,000 new teachers to reduce class size to 18, should be included. Senator LEVIN's proposal for technology training for teachers would better prepare our schools and should be included. Senator MURRAY's proposal for class size; Senator BOXER's proposal for after-school activities.

I am going to support Senator COVERDELL's proposal, because I believe it is a worthwhile contribution, but I also concede this: This Senate could have done better. We may be addressing one important proposal and making one valuable contribution, but we could have made many valuable contributions. We could have made this genuinely bipartisan and further advance the cause of quality education.

Finally, let me say that on this day when the vote is complete, I will join with Senator LIEBERMAN, Senator CLELAND, Senator BREAUX, and others in a letter to the majority leader, because it is still not too late to have this educational debate be genuinely bipartisan to avoid a confrontation with President Clinton and to achieve something real in the process of education reform.

The majority has the power in the conference committee to maintain its provisions to eliminate voluntary Federal testing standards across the country. The majority will have the votes and the power in the conference committee to impose block grants on the Department of Education under the title. That power exists, but it will not lead to the cause of bipartisanship or more comprehensive education reform. It will ensure a Presidential veto, frustrate those of us who have fought for education savings accounts, and deadlock this Senate in further consideration of improving educational quality in the United States.

I urge the majority leader in the conference committee to use his influence to have those provisions removed, to allow Senator COVERDELL's proposal to stand on its merits in which we can privately engage in a conversation with the President and convince him in one of the great ironies of this debate. Senator COVERDELL's proposals are not only consistent with President Clinton's goals for education in America, they, indeed, spring from the same roots as his own programs last year for college education.

Finally, I want to state my great admiration for Senator COVERDELL, his tenacity and his creativity in having brought the Senate to this point. I know he must share my disappointment in that all of our optimism for bipartisanship, our hope for a thorough educational debate in which we could have engaged in a competition of how together we could improve the quality of our schools rather than having sought partisan advantage—it has been a disappointment, but we make progress where we can, remembering Edison's words that discontent is a necessary element in progress. We have had our share of discontent. Senator COVERDELL, in the passage of his legislation, will at least have a share of progress as well.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I thank my colleague. I appreciate his eloquence. Again, I extend my thanks for his dedication and just tenacious strength in terms of promoting this legislation. I listened intently to his description of the circumstances, and I applaud his moment here in the Senate. Thank you.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I yield 10 minutes to the Senator from Massachusetts, Senator KERRY.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I thank the Senator from North Dakota.

Mr. President, I listened carefully to the debate, as we have called it, over the course of the last few days, and to the comments of the Senator from New Jersey. I regret to say he is correct in saying this could have been a great debate, but it wasn't; this could have been a great bill, but it isn't.

The truth is that over the course of the last days, the Senate has fundamentally avoided a real discussion and a real engagement on the subject of American education. What has happened essentially has been a very partisan and very political exercise. I do not believe that was the design of the Senator from Georgia, and I know it is not his fault. But I regret that, as I am sure he must regret it, because we know this is a bill that, in its current form, is going to be vetoed by the President of the United States, and I believe it ought to be vetoed by the President of the United States.

I have previously said on the floor of the Senate that I do not think the idea of savings accounts is a bad idea, and there are ways to construct a savings account that makes sense. But if the Joint Committee on Taxation tells us, even though you can distort the figures and say, "Well, X percentage of this is going to go to people in public school,

yes, it is going to go to families whose kids are in public school"—it is still the high-income earners in America; the fact is over 70 percent of the benefits of this are going to go to the top 20 percent of income earners. You cannot rationalize that by saying, "Well, 48 percent of it is going to go to public school people and 52 percent is going to go to private school people." The 48 percent of public school people who are going to get it are not the people who most need it and not the people, generally speaking, who reflect the crisis of our schools.

I come to the floor perhaps from a different place than some of my colleagues, because I am prepared to say the public education system of this country is fundamentally imploding for a lot of different reasons. There are wonderful bright spots, so-called blue ribbon schools. We can go out, pin them up and award benefits to "Teacher of the Year" with salutations in Washington—and they are marvelous teachers, extraordinary teachers, as are the vast majority of teachers in the system. But no one can deny the hard realities of what we know is happening in the system.

When you look at the fact that 2.6 million kids graduated from high school a couple of years ago, and fully one-third of them graduated with a level of reading that was below a basic satisfactory reading level and only 100,000 of the 2.6 million had a world-class reading level, how can anybody in their right mind sit there and defend that system?

The Brookings Institute recently released statistics that show a very damning reality with respect to the number of people who are teaching in their fields, so to speak. The number of teachers in our public school system who are actually teaching math who majored in math or are teaching science who majored in science is deplorable. It is extraordinary.

It is no wonder that all across America we have parents who are desperate about the situation, who are trying to find ways to vote with their children, in a sense, by taking them out of the public school system and putting them into parochial school, teaching them at home, or putting them into a charter school and hence there is an enormous surge in America among our parents looking for safety, looking for a sanctuary for their children, looking for the certainty of adequacy of education.

Everybody in the U.S. Senate ought to admit that. But having admitted it, the question is then, what are we prepared to do about it? What we are doing here has the potential to, in fact, undermine the capacity to fix the places where 90 percent of the children of this country go to school. Ninety percent of the children of this country are in public school today. But 90 percent of the benefit of this bill does not go to public schools. A minimal percentage of the benefit of this bill is going to go to the people who most need it, in the places that they most need it, for the reasons that they most need it.

It is not enough to talk about putting more teachers into our classrooms if the teachers are not the right kinds of teachers, if the teachers do not get paid the right amount of money, if you cannot attract the right kinds of teachers because you do not pay them the right amount of money, if you do not put them in a school situation where there is the minimal level of safety so they can function in a way that does not put them at jeopardy, at risk of life and a whole lot of other things that are part of the problems in the public schools of America. We have a lot of people who are prepared to abandon that because of those problems rather than try to fix those problems.

But you cannot build enough charter schools, you cannot provide enough vouchers to save a whole generation from the current crisis of education in this country for that 90 percent of our kids who are in public school. You cannot do it. And what this bill amounts to is a Band-Aid, a tiny little Band-Aid on a system that needs triage, a system that is basically floundering, but part of the reason that it is floundering is because this is what we do.

We come to the U.S. Senate and we do not debate the real problems of how you turn this system around. What do you do in a school that is floundering in the inner city where parents do not have the options of a private school, where there is no place to take their voucher, where there is no place for them to somehow find a place that is a sanctuary for their children? Do you abandon that school?

Well, the Senator from Illinois tried to come in here and say, "Let's not abandon that school. Let's provide the resources to guarantee that that school can be fixed up and decent." What did we do? The U.S. Senate rejected that. The U.S. Senate is suggesting that it is OK to help those people for whom a tax benefit is a benefit, and if you do not get the benefit of the tax benefit, too bad. Sure that is going to save some kids. I do not deny that. That is really nice for people who can take advantage of that benefit. But what about all the rest of the people who are stuck in that system who do not even have a way of filing a tax return and getting a tax credit, don't know anything about an IRA, can't put away enough money to have an IRA or who are stuck in a system, as they are in Washington, DC, or elsewhere, that just does not function?

I am going to be the first person to say that we have to talk differently about the whole education system. We have to talk differently on our side of the fence about the things that we have been stuck in the cement on ideologically, about things like tenure and a whole lot of other third rails of American politics.

And we also have to ask our friends on the other side of the aisle to face the reality that those 90 percent of our children who are stuck in those public schools desperately need us to help them have schools that function, that do not freeze them out of the classroom or bake them out of the classroom, to give them the opportunity to be able to learn, and that learning is a function of a whole bunch of things.

Every blue ribbon school I visited, the first thing I have noticed is, boy, do they have a wonderful principal. And almost without exception, that principal is operating outside of the normal workings of the system. They work to deal with the school committee. They work to deal with the parents. They work to deal even with the union, and teachers can be moved when they need to be moved. And, by God, you get a school that works all of a sudden.

What we ought to be talking about is how we make every public school in the system fundamentally a charter school within the system. We could do that if we really wanted to. We could do that if we were not stuck in this sort of, gee, we are going to fight for vouchers, and we are going to be over here, and we are going to protect the people who do not like the vouchers, and, by God, we are going to talk past each other in the most important debate that this country has faced. That is what we are doing.

This is the single most important subject in front of the country, because we have kids who come to school today in the first grade who do not even have the capacity of a first-grade level to read numbers, to repeat colors, to recognize shapes. And that is where the problem for our teachers begins, with a whole different set of children. People who sit there and say, "Gee, our school system ought to be the way it was with the little red schoolhouse," are not willing to acknowledge that we are living in a very different world.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DORGAN. I yield 4 additional minutes to the Senator.

Mr. KERRY. I thank the Senator.

The PRESIDING OFFICER. The Senator is recognized for an additional 4 minutes.

Mr. KERRY. The problems that our teachers face today are different from anything that ever existed previously in our lives. Kids come to school with different baggage. And teachers are expected to perform a whole set of functions which they are not able to perform, which they have not been trained to perform, and in many cases which they are simply not allowed to perform because the political correctness of the

school system or the political correctness of the school boards, and the politics of it, deny them the ability to be able to do the things that you can do in some of these other schools.

I think people who are looking to those other schools, for example, are right. They are right. You have to look around to where education is really happening. You have to look to where kids are coming out with higher test scores, with better values, with a better sense of discipline, with a sense of order, and with opportunity in their lives.

But why is it that we are incapable in the Senate of finding the ability to look for the common ground where we could find the best of what happens in parochial schools, the best of what happens in charter schools, the best of what happens in blue ribbon schools, and make it happen in all of our schools?

We did not try in this debate, in my judgment, because I think the Senate was busy talking past each other, creating a lot of 30-second advertisements for campaigns and fundamentally setting up a structure where the kids are once again the victims of our unwillingness to meet these issues.

We need a lot of fundamental reform in our school system, and I will speak considerably to that over the course of the next weeks. But I regret that in the course of this debate good ideas were left languishing.

Let me give you an example. There was one amendment that passed by 63 votes which provides incentives for States to establish and administer periodic teacher testing and merit pay programs. I am for that. I voted against it though. Why did I vote against it? Because it takes the money from teacher training programs for the very people who are trying to improve, who are in the system today, who have to have ongoing efforts in order to meet the standards that we want them to meet.

So why could we not guarantee at least that we would protect the current structure sufficiently and find the capacity to provide the merit pay and have the testing? And I think that what has happened generally here is the process of robbing Peter to pay Paul, because we are unwilling to acknowledge the size and complexity of the overall reform effort that is necessary.

My hope is we will come back to this effort after the President has gone through his effort. Or perhaps the conference committee will totally rewrite this with a miracle. My hope is we will come back and write a bill that will adequately reflect the full measure of reform that is necessary and, most importantly, the full measure of commitment to the public school system of this country.

My friend from New Jersey said this is not a voucher system. Well, it is not. It is not a direct voucher system. But you cannot tell me if 52 percent of the benefit goes to people in private schools and all of a sudden they are getting $2,000 instead of $500, that that will increase support for the public school system when they now have increased dollars in their pocket to send their kids to more private schools. It is a backdoor voucher system. It is providing a savings account that, in effect, has the impact of a voucher system because it strengthens parochial and private at the expense of the public school system and diminishes the base of support, the foundation for that system.

I will vote against it. I hope the Senate will come back to have a real debate on education in the future.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, in a moment I will yield to the Senator from New Hampshire, but I do want to point out to the Senator from Massachusetts that so far, until we hear from Senator GREGG, the Senators who have come to the floor to speak about the education savings account in a favorable forum were Senators BYRD, FEINSTEIN, LIEBERMAN, CLELAND, and TORRICELLI—all Democrats. Despite the difficulty we have had, this has been a very significant bipartisan debate—not as partisan as the Senator characterized.

We will next hear from the first Senator on our side of the aisle in support, No. 1.

No. 2, you are right when you say these statistics are befuddling. But at the end of the day, over a 10-year period over $10 billion gets saved in these accounts. Half goes to children who are in public schools and half goes to children in private. The construct of who benefits is identical, to the exact same people who were defined in the education savings account that the President and we adopted last year. It is identical. It is the same targeted community, same targeted community.

The point that neither one of us can really settle, I believe it is statistically insignificant, the number of people —there will be some who will change schools because of the savings account. I think it is very limited. In other words, the reason that half this money—they represent a third of the people, but half the money in private, is because those folks are already paying the public school system and they know they have a higher tuition, so they save more.

In that sense it skews 50/50. But it is still $5 billion going to public schools and $5 billion going to help students in private.

Mr. KERRY. Will the Senator yield?

Mr. COVERDELL. I yield.

Mr. KERRY. That is exactly what I said in my comments: 52 percent versus 48 percent. That is almost even. But when you take that 48 percent and look at their income levels, you have the largest percentage——

Mr. COVERDELL. Those are the same income levels as set in the IRA for higher education which has been celebrated by both parties and the President.

Mr. KERRY. A second point is most of those people are putting away for higher education because they have no place to put it in terms of the public school unless they might choose to spend it on a computer or something, but there is no proof they will do that. There is no proof here as to how people will be able to spend their money. I will not get into how you go down that road.

The underlying component of this that is so disturbing, after you finish that analysis, is this, and I think the Senator from Georgia will have to acknowledge it. You are still leaving that vast 90 percent out there, most of whom in the worst situations are stuck in situations where this will not improve their lives, their education, their capacity to move forward. That is the great dilemma that so many of us have with this.

As I said, I like savings accounts. I want to vote for a savings account. I cannot do it in the structure that has been put in this bill. That is my regret.

Mr. COVERDELL. I would like to come back to it. I did want to respond to the Senator. I appreciate the Senator giving me an opportunity to respond.

I now yield up to 15 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized to speak for up to 15 minutes.

Mr. GREGG. I thank the floor leader, and I wish to congratulate the floor leader for his excellent work in moving this bill forward. This is a very important piece of legislation for improving the quality of education in this country, and specifically for empowering parents to have more of a role in choosing how their child is educated and being sure their children have the resources to obtain the type of education which parents want for their kids. It really is not a radical idea. It is a very reasonable idea. So reasonable it is hard to understand why there would be opposition to allowing parents to be able to save more, to use that savings for the benefit of their children, to educate their children. So I certainly congratulate the Senator from Georgia for his excellent work in bringing this legislation.

I wanted to speak on a couple of specifics and then generally on the bill. There was an opportunity which I was going to undertake, along with Senator GORTON, to offer an amendment to try to clarify some of the issues relative to IDEA, especially in the questions dealing with the teacher role, in dealing with children who have special education needs but turn out to be violent.

We did pass the IDEA reauthorization bill last year, which I worked hard on. I was proud to participate in it.

Unfortunately, the Department of Education has not followed the rather explicit instructions from the Congress on how regulations should be issued under this bill. As a result, the question of how we deal with the school situation involving a child who is a physical threat to other children in the classroom and to the teacher has not been properly addressed. My amendment would have addressed that. It was an amendment which I worked on. Senator GORTON was the prime mover of such an amendment earlier last year, although it was the same amendment.

The issue here, of course, is making sure that such language, should it be brought forward, does not allow school systems to in any arbitrary or capricious or inappropriate way bar the special-needs child from the classroom. That would be absolutely unacceptable.

I headed up a school that dealt with special-needs children, and I understand, I think, this issue as well as anyone who is addressing it here in this Senate. I am very sensitive to the importance of making sure that nothing happens which would undermine the capacity of the child who is mainstream, and who is gaining from that mainstream experience, to receive that experience they have under the law.

There is also a need to address the fact that in instances of true physical violence, teachers, principals, other children in the classroom, find themselves sometimes put in a position where they have no way of adequately dealing with a child who is a physical threat to them. In fact, there have been a lot of instances which reflect this problem.

Without the Department of Education addressing the issue, which it should have addressed, it is probably going to be appropriate to address the issue in some other form such as this. We decided not to move forward on that because we did not want to complicate this bill any further than it had already been complicated, and therefore we—Senator GORTON and myself—reserved our amendment on that point.

I must say, the special education community, which I have worked with rather aggressively over the years—I have been probably their greatest champion on a number of issues, specifically on getting funding and on working on the last bill—has reacted, I think, overreacted to the proposal. They did not see the proposal. They simply characterized it and went forth to inform their constituency—misinform their constituency would be more accurate—as to what it would have done, which is ironic and inappropriate considering the support I have given that community.

On the second point, which was the number of amendments which we saw here which were an attempt to basically move dollars from this COVERDELL approach from the A+ plan into special education, a number of amendments were brought forth, and specifically the Dodd amendment, which I wanted to address because I didn't have a chance in the 15-minute limitation of time to respond on these points. I have led this fight in the Senate now for 3 years—well, actually since I got here, but I have actually been successful over the last 3 years—to try to increase funding for special education. The Federal Government made a commitment that it would do 40 percent of the cost in special education. When I arrived here, having served as Governor, that commitment was not being fulfilled. In fact, the Federal Government was only doing about 6 percent of the cost of special education.

The fact that the Federal Government was failing to do its share of special education costs was having a disproportionate and unfair impact on the local school systems, and it was especially, in my opinion, putting the special-needs child and the parents of the special-needs child in an untenable position in local school board meetings, where they were being looked at as siphoning off resources from other activities of the school systems. They had every right to those resources, but unfortunately because the Federal Government wasn't paying the cost of that education, those resources had to come from other places. So the Federal Government has been totally irresponsible in this area of funding special education.

As a result of my efforts and the efforts of Senator LOTT, first we passed a commitment to fully fund special education to 40 percent, and we followed that up with making the Budget Act make that statement, and followed it up by having the first bill put forth by the Republican Senate being S. 1, a commitment to full funding for special education. Then we followed all those words up with hard dollars. Two years ago, we increased the funding of special education by almost $700 million. We followed that up with another almost $700 million—I think it is over $700 million in the first year. We have dramatically increased funding in special education, not as far as we need to go, but we have done that. The Republicans did that. We had no support from the administration on this initiative and only marginal support when it came to the actual votes on those budgets from the other side of the aisle on this initiative.

So we have a track record of having delivered on this issue. The great irony here—another great irony—is that the amendments brought forth by the other side of the aisle were paper amendments meant to paper over, I think, the irresponsibility of this administration and the other side of the aisle on the issue of special ed because, once again, just a few weeks ago when we passed the budget in this body, we saw that the administration and the other side of the aisle were not willing to put their name on the line on the cause of special education and funding special education.

The Republican budget increases special education by $2.5 billion. I don't think any Democrats—or maybe one or two—only a small number of Democrats voted for that budget. The President's budget that was brought forward and voted on in committee increased special education funding by a measly $35 million—$35 million. That was basically a nonexistent event that would have probably been used for administrative overhead down at the Department of Education. That $35 million probably would never have seen the light of day in any school system.

So we made the commitment, and when it came to casting the vote, we cast the vote to increase special education funding. Now this cause has been taken up by the Speaker of the House, who talked about this, and the chairman of the House committee on this issue, and again the majority leader is aggressively pursuing it as well as myself. We intend to fulfill our obligations for special education funding as a Congress under Republican leadership.

So when we saw these amendments coming at us, we had to almost smile at the political grandstanding of it because that is what they were, just political grandstanding. If those folks really want to fund special education, we are going to give them the chance to do that. We are going to be bringing bills out here that do that. I wish they had been there on the budget amendment. Please take those votes and those amendments for what they were, which was trying to paper over their own lack of effort in this area in the face of what was a hard action on our part of delivering hard dollars out to the school systems for assistance to special education.

On the bill overall, what we have here is a choice between the status quo—and I have heard basically almost an unlimited defense of the status quo from those folks who oppose this piece of legislation—and people who want to empower parents to have more of a role in the education of their children. Now, I know that money is a factor in education. We all know that. I know that the building is a factor in education. I know that the number of kids in a classroom is a factor in education. I will tell you something. In my experience, and I think probably in the experience of anybody who is going to be honest, the single most significant impact on a child's education is the parental involvement and the parental activity. What this bill does is it brings the parents into the process more aggressively. It gives the parents a new

tool to be able to help their children out as they try to move through this maze of education which we thrust at them.

Why would we not want to do that? Well, I can't think of any reason. This is a parent-empowering amendment and proposal. The opposition really comes from people who seem to think that this threatens the status quo. That is where the opposition is coming from. They see this as a threat to some structure that presently exists out there. That has been the basic underlying theme of the opposition. Well, is the status quo so good? Is it so extraordinary and doing such a wonderful job that it should not be shaken a little bit? This is not a big shaking up; it's just sort of a little vibration. I am not sure this would appear on the Richter scale, but it is a significant and good step. It is a good step, but it is not a dramatic shaking up of the status quo. I can think of some things we should do to dramatically shake up the status quo, and hopefully we will. But this is a step in the right direction. It is a parent-empowering step, confronting the defenders of the status quo on education.

I have to tell you, the status quo in education isn't cutting it. We know that as a society. Parents know it. Businesses that are trying to hire people coming out of our educational system know it. Regrettably, the world is seeing it. We have gotten to a point really where, in many instances, in many of our most cutting industries that are producing the jobs in this country, they are having to hire people from outside of the country because they don't have the educational expertise to do it, or they don't have enough educational expertise in this country. So the status quo is not working. We need to take some new, original approaches. Clearly, the proposal before us, the A+ accounts, is an attempt to empower parents to do something, to give parents an opportunity to do something to help their kids get a better education. What an appropriate purpose that is.

We had a whole series of amendments and other ideas on how we should improve education. We had an amendment to build more schools, an amendment to change the teacher ratios, and an amendment to do after-school planning. These were all nice ideas, but they don't belong in this body. These are ideas that belong in a school board meeting. If these Senators want these ideas to move forward, they should go back home to their school board meeting and suggest it. These are local control issues. We should not be taking resources out of the local community, sending it to Washington, draining it off from the one program in Washington that we are not funding, which is special ed, which should be funded, and sending it back to the community and say that they have to do this or that with those dollars. You have to build a building, or you have to cut down your class size, or you have to do an after-school program with those dollars. That is a local control issue. That is where it belongs, in the local school board. They make those decisions.

Let's give the local communities the flexibility to have the resources, and let's give them the resources to have the flexibility to make decisions as to whether they want a new school building or new art course or a foreign language course, or whether they want a new teacher who teaches some sort of high-grade technical computer science.

The local school board knows best on that. But for us here in Washington to basically be taking the resources out of the local community by not fully funding special education and then telling the local school board that we are going to send the resources back covered with strings and directions, and, by the way, all of the things the local school board traditionally has control over, but we decide to take them over in Washington because we know better than you do. It is absurd. But it is classic Washington. I am glad that all of those items were defeated because they should have been defeated. Let's defeat them and send them back to the local school board.

Again, I congratulate the Senator from Georgia. He has brought forward a concept and an idea that is going to empower the parents to be able to help their kids get a better education. I cannot think of any better sentiment or any better purpose for any bill. I look forward to its final passage.

I yield the floor.

Mr. COVERDELL. Mr. President, I appreciate very much the remarks of the Senator from New Hampshire. He was for a long time a Governor, and he is someone who understands the issues very adroitly. I appreciate very much the comments he came to the floor to make this evening.

I conferred with the other side. Senator GORTON has another calendar event that he needs to attend to. So we will turn to the Senator for up to 10 minutes.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from Washington.

Mr. GORTON. Mr. President, I am given to understand from the debate on the floor this afternoon that I have made many new friends along with the Senator from Georgia. Senators on the other side of the aisle who were totally unable to find a good word for his bill over the course of the last month or two have suddenly said how desperately they wish to vote for his bill if it were not for the Gorton amendment having been added to it.

Mr. President, the Gorton bill basically takes $10 billion a year of Federal money for our public schools, of which about $2 billion is used by bureaucrats today, and says that we prefer classrooms to bureaucrats. We would like to allow each State, if it wished to do so, to say that the whole $10 billion went into our schools rather than to have roughly $2 billion of it siphoned off by Federal and State bureaucrats.

I suppose it is perfectly appropriate for Members of this body to believe that without those bureaucrats in Washington, DC, and in our State capitals, all of that money would be wasted; that our school board members, our superintendents, our principals, our teachers, and our parents, don't know what they are doing and that we must set national priorities for them and tell them there are certain things they must spend the money—that we have collected from them and returned to them—on.

That, however, has not been the argument against the Gorton amendment so far. More than one Member this afternoon opposing it talked about how it damaged disabled children. It doesn't include the aid for disabled children. It is not affected by it at all. It is totally irrelevant to that subject. Others have said how it destroys the fight against drugs in our public schools, or for safety, or for mathematics education, and the like.

Mr. President, it may very well be that, for example, the principal debater against this, the senior Senator from Massachusetts, knows more about what the Boston schools need than does the Boston school committee, but I am reasonably confident that he does not know more about what the Wenatchee, WA, school district needs than do the teachers and parents and school board members in Wenatchee, WA.

That amendment takes about one-third of the money, $10 billion out of $30 billion a year that goes to the Department of Education here in Washington, DC, for common school education, and it says that States, like that system of Federal regulation and the narrow Federal categorical aid program, are perfectly free to retain it without change, but that those States that think that either their States or their local school districts might possibly do better without those Federal regulations and with more money will have that option for a 5-year period. The State can adopt the policy under which it is the State educational agency that makes the determination as to how this money can be used, or the States can opt.

It is my preference, and was the only option a year ago when I first proposed it and this amendment was agreed to, that each of the 14,000 school districts in the United States can make those choices for themselves. It may be that the Wenatchee school district, or any other, will feel that the precise requirements and the exact amount of money in the Safe and Drug-Free

Schools Act is what the Wenatchee school district ought to spend on that subject. But if it were allowed to make those choices, that school district might decide that it wanted to spend more money on that subject from the Federal Government, and perhaps in a slightly different way than the set of Federal regulations set out for every school district in the country, and it might, if it is very fortunate, decide that it could get by with less and put more of that money into teaching English, or mathematics, or computer sciences.

Mr. President, I suppose one can say that to allow that kind of discretion would be disastrous to our schools; that there is no way that it is appropriate for us to trust those local school board members wisely to spend the money collected here in Washington, DC, and send it back for school purposes. But I believe that if there is to be an argument against that, it ought to be on the basis of what the amendment says and not the statements of those who have not read it.

To repeat. It does essentially two things. It takes this $10 billion and says each State may continue the present system, may have a State-based system or may have a local-based system for a period of 5 years, at the end of which time, I think, perhaps we might know a little bit more about what works best.

It does something else. It says that this bill stays in effect only as long as Congress keeps, modestly at least, increasing the amount of money it puts into our schools. I would have thought many on the other side of the aisle would have liked that effective guarantee, a real incentive for us to do our job for education. Evidently, however, there is in this body a view not widely shared in the United States, a view that the present system is so close to perfect that we do not dare experiment with it; that we are doing so well with our Federal policies, that we are so successful that we should not experiment with them at all. For those who believe that bureaucrats are more important than classrooms, or at the very least that bureaucrats here in Washington, DC, should run our classrooms, and that they should retain literally billions of dollars that could otherwise be spent in the classroom, opposition to the amendment was appropriate and taken well.

But for those who believe that there is not only great concern, perhaps the greatest concern, for children in a given part of the United States on the part of those children's parents and their teachers, their principals, their school board members, and a degree of competence and knowledge about what those communities and schools need, this amendment offers a new chance and a real experiment. It isn't permanent. Can I say that there is no question but that it will be a better system? Of course not. I think it will be. I am sure we will learn when there are States that accept each of these three alternatives.

But to say that it is some kind of disaster, to say that without this guidance, without these requirements from the Department of Education in Washington, DC, without our wisdom, 100 Members of this body, with all we know about schools, that we will irretrievably damage the educational fabric of this country is simply wrong. I regret having deprived my friend and colleague from Georgia of so many friends and so many supporters. I strongly support his bill, as he does mine.

But it does seem to me that there ought to be enough tolerance in this body, enough faith in the American system that we are willing for a period of time to let some States in this country try to operate under State-mandated rules and others to let school districts make their own decisions. The amendment that a small majority of this body passed yesterday does just exactly that, nothing less and nothing more.

Mr. DORGAN. Mr. President, let me take just a couple of minutes. I understand that the Senator from Georgia will be yielding time to the Senator from Florida. But before he does that, let me take a couple of minutes to respond to some of what I have heard.

There have been interesting discussions on the floor of the Senate about this legislation, and it is clear that different Senators see this issue from a different perspective. Many people come to the floor to talk about public education. Well, our proud tradition of public education began in this country in 1647. The Colonists in Massachusetts first developed tax-supported public schools, and we have had from that time on in this country an understanding about the desire and obligation to create a network of taxpayer-financed public schools in this country.

I defy anyone to come to the floor of the Senate and show me a country anywhere in the world that is as successful as this country has been, that has produced as many scientists and engineers, as many mathematicians, as many well educated men and women coming from our public school system. In fact, even today, do you know a country out there that you would like to trade places with, a country with a better economy than ours?

Oh, you can point to some areas where you might say, gee, this country has a better education system than ours. Many countries take only its top students and run them up the ladder and say to one group of students, you are more appropriately going into another area, and to the best group, we say we are going to direct you toward higher education. And we are going to compare that group to the American students, the students that have universal opportunity. What a great tradition we have of affording every young boy and girl in every school entering every classroom door the opportunity to be the best they can be because our public education system gives them that opportunity.

It is interesting to me that there is a kind of "blame America first" notion that somehow nothing works here. Again, tell me, with what country would you change places? I have two children in public schools. They are wonderful public schools. Both have wonderful teachers. I am enormously proud of what they are doing. They are doing harder work in those public schools in both grades than I did—much, much harder work than I did when I was in school.

I also read to a young boy in the Everybody Wins Program. Yesterday, my power lunch for an hour was reading with a young third grader in a school here in Washington, DC. And I understand the challenges of different schools. Some have more resources than others. I understand that not all is right with our education system. We have plenty of challenges, some external and some internal, in our education system.

A week ago yesterday I was in the school in Cannon Ball, ND, on the Standing Rock Indian Reservation—in a public school in a public school district with a very poor tax base. This is a school with 145 students and 40 teachers and staff—180 people in a school, part of which is 90 years old and has been condemned as a fire hazard. 180 people using 2 bathrooms and 1 water fountain; second graders, third graders, fourth graders, fifth graders in a choir room that is about 12 foot by 12 foot, that they can only use occasionally because the stench of the sewer gas seeps into the classroom and drives them into another classroom. The other classrooms are only 8 foot by 12 foot in many cases, and the children sit in desks only a half inch apart with their desks touching because there is not enough room in that school and in those classrooms. And too many students they simply put in an open area, and one teacher will teach two classes at the same time by spending 15 minutes talking to one group and then 15 minutes talking to another group of students, in the same room, and by going back and forth all day long.

The question I ask is, Who defends this underlying bill where we say here is the priority of need in education? It is a tax subsidy. The majority of the money from the subsidy will go to the parents of fewer than 10 percent of the children in this country who attend private schools. That is the priority of need identified in this bill. And the question of school construction and modernizing the school buildings so

that the wiring will allow kids to access the Internet, those priorities somehow don't matter; they apparently represent some ranking of need well down below the tax issue.

We are told, if we talk about the desperate repair and construction needs, that what we are talking about is decisions that ought to be made by the local school board. In this case, the local school board doesn't have any money. They have no tax base with which to issue bonds to repair this school. And there are plenty of other schools like it. To the second grader that I mentioned earlier this week, little Rosie Two Bears at that Cannon Ball school, who says, "Mr. Senator, will you buy me a new school," I say, "Well, we are talking about that in Washington, DC."

Can we provide some help perhaps to that school district to deal with school construction, to give those kids some help? It seems to me the people who are defending the current legislation are saying that issue doesn't matter to us, that ought to matter to somebody else. Crowded classrooms, too few teachers, crumbling schools, those issues don't matter to us; they belong in some other debate.

In fact, the amendment that was offered by Senator GORTON, who just spoke, is an amendment that says let us take a substantial amount of money in the Department of Education and block grant it. That is a seed that comes from the same garden planted by those who want to abolish the Department of Education. In fact, abolishing the Department of Education is a part of the 1996 Republican national platform. They want to eliminate a national role in education, but they don't want to say that publicly. They don't want to offer it publicly on the floor of the Senate, so they do something slightly different called a block grant.

And I say to them, if you want to do that, why be a tax collector? Why collect the taxes, run it through Washington and send it back in a block grant. That's like passing an ice cube around; all you do is get a smaller cube every time you pass it. If you decide that safe and drug-free schools is not a program of national interest and national importance and you want to tell the States this is not something that represents a national interest, it is fine if 5 schools or 5 States want to do it, and if 45 States want to do it, that's OK, too; we will send you all the money for it, and you do whatever you want. If we decide there is not a national interest in having safe and drug-free schools or title I or, for that matter, a half dozen other programs, then why would we collect the tax money for it and send it back? Why not say to the local districts, you collect the taxes and you decide how to spend it. That is the way the system ought to work.

We don't run the local school boards and we should not. We have done some targeted financing in certain areas that have been enormously successful. For example, with title I we have provided specific investments and opportunities for the very lowest income kids in this country. Those investments would not have been made and could not have been made by the local school districts. They are very important, and I am enormously proud of what we have done in this and other areas.

Do I believe we should take those programs apart and block grant them? Absolutely not. Why take a giant step backwards? The defenders of the legislation before us are the folks who come here and say, "Well, gee, we should not worry about that. We are a U.S. Senate. This is not a national issue."

If education and achievement and competitiveness in the international arena is not a national issue—I am not talking about running the local schools; that is a local issue—then I do not know what is a national issue.

So, I say to my friends who come here to speak in defense of the current bill, Rosie Two Bears was in school today in a school that in most cases none of you in this room would send your children to. That school is not going to get fixed with any help from us, despite the fact that President Clinton called for it in his State of the Union Address. I support this effort, and I think a number of others in this Chamber support some initiative to provide incentives to those school districts that don't have the opportunity and don't have the resources, "We are going to help you a bit," because we believe that any kid who walks through any classroom anywhere in this country ought to have the expectation that they are going into a room that they can be proud of, a room in which learning will take place, a room in which education will prosper, a room in which young minds will blossom. That is not the case today in some areas, and we know it.

I have great respect, incidentally—I have said this on a couple of occasions—for the Senator from Georgia. He has handled himself with great skill in this debate, and I have great respect for him. However, we differ with respect to the priority of needs. That's the only place we differ. I see our priorities as very different than he does. I would like very much for us, if we have $1.6 billion, to debate about what we do with the $1.6 billion. Let us consider the range of needs that represent what we think are the national needs in education and then start at the top, pick No. 1, No. 2, or No. 3, and identify what we can do.

We don't do that. We bring this bill to the floor and we say, no, we are not going to deal with the top priority needs. We are going to establish tax subsidized accounts, 52 percent of the benefits of which will go to parents who have fewer than 10 percent of the kids in schools and say that is what represents our priority of need. I just say to you I think this shortchanges a lot of children in schools in this country. I regret that we have been prevented from having the kind of debate we should have had on these issues.

Thirty minutes of debate on our side—30 minutes on this question of school construction as a national priority—because that is what we were told was allowed to us under the time agreement for an issue of significant national importance. This was not the kind of free and open and aggressive debate that we ought to have had on the range of priorities of needs that exist in education in this country today. It didn't happen this time. Maybe it will happen in the future. I think the Senator from Georgia will win this vote and lose the battle. Because this bill will be vetoed. But then perhaps we will be able to debate the entire range of needs and try to determine from that debate what kind of priorities we can achieve from each side.

I am not somebody who believes only one side has wisdom. I think, instead of getting the worst of what each side has to offer in this Chamber, both can offer. The only way to do that is to have a real debate, not a debate based on very narrow one-sided rules, but a debate in which we guarantee everyone in this Chamber can bring up the best ideas and we can have a real competition of ideas on the floor of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I would like to respond to my good friend from North Dakota but, in deference to time—there will be other chances to do it—I am going to yield 15 minutes to the distinguished Senator from Florida. I might add, I think, as I listened to the Senator's remarks—he dwelled on construction. There is a key component of school construction in the underlying bill and its author is the Senator from Florida. So it is opportune that he would be here at this moment.

The Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, first to my good friend from Georgia and to my good friend from North Dakota, I wish to express my commendation for the quality of debate that is taking place this evening and that has taken place throughout the period of consideration of this legislation. This is, as we will all agree, important business that we are about. I believe that we all start from a desire to see that the young people of our Nation have the best possible educational opportunities. We

may differ on the details of how we think we can achieve that objective, but we should respect our individual desires to achieve that goal.

It is ironic that we are having this debate on this week as we mourn the death of our former colleague, Senator Terry Sanford. Senator Sanford, in the earlier part of his career, was the distinguished Governor of North Carolina, from 1961 to 1965. During that period, he formed an alliance with the then-president of Harvard, who had written extensively on the needs of education in America in the postwar period. Then-Governor Sanford took the leadership in establishing an organization called the Education Commission of the States. The purpose of the Education Commission of the States was to assist in the national debate to rationalize what should be the role of the Federal Government and the individual States in meeting the educational needs of American youth.

It was agreed by the founders of the Education Commission of the States, under the leadership of Governor Sanford, that the primary responsibility for education in America is and should be at the local and State level. But it was also recognized that there were important national goals of education which justified a Federal participation. What were some of those national roles? One, which was particularly searing at the time of Governor Sanford, was the issue of civil rights; that the National Government had a responsibility of assuring that all children had their full, legal civil and human rights protected within the education setting; that education should be an opportunity available to all American youth. The Education Commission of the States recognized that the Federal Government had a particular role in higher education, specifically in assuring access to higher education for all American children.

We had just come through the period of the GI bill, at the end of World War II, and we were learning, as a Nation, the benefits that we had secured by the fact that millions of Americans who previously had no chance at higher education suddenly were given that opportunity and that that opportunity should not be limited to that one generation who fought and won World War II, but should be a permanent part of our national commitment to its own future. And a third important area was at-risk children, children who did not come into this world with the benefits and opportunities to be fully competitive and were going to require additional assistance because of their circumstances which were beyond their control.

Those have traditionally been some of the priority areas that have defined what should be Federal policy for education. I believe that as they were in the early 1960s, they continue in the late 1990s as important principles to determine what should be the Federal role in education.

For that reason, I am pleased with much of what is in this legislation, but concerned about other important provisions. I am concerned, for instance, about a theme that is running through several of the amendments that we have adopted, which essentially says that this thoughtful construction of a Federal role in education is no longer relevant, that we can treat all Federal education funds as if they are fungible, that they can serve any purpose that a State determines, that there is no longer an appropriate, focused Federal role in these areas such as access to higher education and at-risk children.

We have adopted not just in one place but in several places amendments, language that says essentially, notwithstanding any other law or provision, that any Federal education funds can be used for the specific object that the authors of that amendment thought were appropriate.

I do not believe that is tolerable education policy. It is not policy. It is the denial of a rational policy to direct Federal educational actions and resources.

For that reason, I am going to vote for this bill, but I will announce at this point that if this bill should come back from the conference committee containing these what I consider to be troublesome provisions, I will have to vote against the conference report. I believe there is a sufficient amount of good in this bill that it is not appropriate at this stage to pronounce its death; that, rather, we should try, with the opportunities that will be available to us in the next few weeks and with the confidence that I have in a person such as Senator COVERDELL—that we will be able to keep what is constructive and what is consistent with our tradition, keep those things that Senator Sanford would be pleased to have as part of his legacy of educational policy for America, and discard those that are not constructive and not consistent with our traditions.

Let me focus on those areas in which I believe there is substantial good embedded for our education and consistent with our tradition.

The fundamental thrust of this legislation is to increase the access to higher education. While much has been made of the amendment that bears the specific name of the Senator from Georgia as to its role in elementary and secondary education, if anyone looks at the actual numbers and how this will play out in the planning of the American family, the reality is that the program is going to have its principal utility in preparing a family to meet those enormous costs that are associated with higher education, and, thus, its principal contribution is going to be in making it possible for families to save and plan and prepare for the cost of college and university. And that is a good thing. We are going to spend approximately $1.7 billion to accomplish that.

But that is not the only area in which we are going to encourage access to higher education. There is another provision in this bill which was sponsored by the senior Senator from New York, Senator MOYNIHAN, which happens to have a cost over the same time period of approximately $2 billion, more than the cost of Senator COVERDELL's provision.

What will that provide? That will extend the current provision in the law that says an employer can provide higher education tuition to one of its employees so that that employee can increase his or her skills and wisdom and contribution both to the company and to his or her own goals, and that that employee will not have to take into the employee's income the value of that tuition provided by the employer.

That is clearly a provision aimed at making more certain, more stable, our concept of access to higher education through cooperation between employers and employees.

There is another provision which I have been active in advocating, and that relates to State programs through which families can purchase contracts to pay the tuition and, in the case of many States, the room and board for their child or grandchild or nephew or niece in advance of the time that that child is ready to enter college or university.

These plans, which now are in place in 21 States and will add another 13 States before the end of 1998, vary but have some similar elements. Those elements generally include the ability to purchase at a point in time the tuition for a child prior to the time that child is ready for college and, thus, lock in the tuition at its current level. Thus, the family is able to avoid tuition inflation, which has been running substantially higher than inflation in the general economy and higher than increases in family income.

It also provides an effective means by which families can plan and save for that large cost. It also fundamentally changes the nature of the question that a child will ask as they are growing towards college years. They no longer will have to ask the question, "Will I be able to afford to go to college?" Instead, they will ask the questions "Will I be prepared to go to college? Will I work hard enough? Will I make adequate grades? Will I be able to distinguish myself so that I will be admitted to the college for which I have already made financial preparations?"

I think that will be a very important step toward increasing the level of motivation and quality of learning.

There has been a cloud over these plans, the plans that Senator LANDRIEU

sponsored when she was the Treasurer of the State of Louisiana, the plans which many Members of this Senate have been involved with in their individual States, and that cloud was that the Internal Revenue Service has said these plans are taxable and, therefore, sent a chilling signal to States considering the establishment of the plan and individual families' participation.

In the last two years, in what I think were very wise decisions, this Congress eliminated the taxability of the plans on an annual basis. That is, as the interest accrued in the account for a particular child, that accumulation would no longer be subject to Federal income taxation.

The provision that is in this bill, which happens to have approximately the same cost to the Federal Treasury of $1.7 billion as the underlying provision of the Senator from Georgia, will say that when the funds are transferred at the time of commencement of college education from the State higher education tuition trust fund to the individual university to which the student is now going to be enrolled, that that transaction will also be nontaxable. So the family can be assured that every dollar that it invests, every dollar that is accumulated in the fund during the period that the child is maturing to college age, will be used for that child's education.

I believe that with the adoption of this provision, we will find many more States that will establish a State plan and many more families than the over 700,000 who are currently participating will participate in this means of preparing for their child's higher education.

At the end of the day with this legislation, we will have Senator COVERDELL's bill which will provide one means through an educational savings account to prepare for higher education, we will have Senator MOYNIHAN's provision that will provide for the adult who is studying through the financial assistance of his or her employer, and we will have State-based plans fully tax free providing another vehicle by which Americans, youth and adult, can see that they will have the resources to meet their goal of higher education.

That is a good thing. That is consistent with the role of the Federal Government which we have established at least since the GI bill in World War II and the definition of the Federal role in education as established by then Governor Terry Sanford.

Another issue which is a very serious one, for which Senator DORGAN has just made an excellent plea, is the issue of school construction. This is a national crisis. The General Accounting Office completed a study a couple of years ago which indicated the cost of bringing existing schools up to appropriate educational standards was in the range of $110 billion to $120 billion. There is not a comparable figure as to what is the cost of building new schools to meet the demands of a growing student population and to keep class size at reasonable levels, but the best estimate is that it is at least the equal of that cost of rehabilitation.

I believe that this is an area in which the Federal Government has a role and needs to play a more effective partnership with the States. We are already doing a significant amount to assist the States. We are providing that States have access to tax-free financing when those financings are done directly to a public agency for purposes of public education.

In this bill we have a provision which may be arcane but which will be significant, particularly to many small and rural school districts. And that is a provision that builds upon action taken a year ago in which we allow a school district that issues no more than $10 million per year in tax-exempt bonds to keep the difference between the interest that is earned as a lender of the funds prior to paying construction vendors and the interest which it pays to the bondholders.

As an example, a typical school district might issue a bond issue and pay 6.5 percent interest to bondholders who do not have to pay tax on this interest received. For the period of time before it actually begins to spend that money to construct a school, it may be able to loan that money for 8.5 percent. This would allow the school district to keep that 2 percent differential, which is referred to as arbitrage.

This proposal will make this arbitrage rebate exemption available to districts issuing up to $15 million in bonds, rather than the current $10 million. This will be particularly valuable to those small school districts who only occasionally are in the business of building that elementary school that they may only construct once every 50 years in order to meet their needs.

Another important provision which I think will be, if adopted, the beginning of a new and creative approach to public education construction assistance from the Federal level is called the private activity bonds. Private activity bonds are bonds issued by a public agency on behalf of a private concern in order to serve a public purpose. These bonds today are primarily used in areas such as airports, seaports, mass transit facilities, water and sewer facilities, solid waste disposal facilities, housing for low-income and affordable housing. Those are the kinds of areas in which this type of financing is currently available.

By the adoption of a provision which is in this bill, we will make this available for the first time to public schools. The irony is that under provisions that are already in effect, private schools, both at the higher education level and at the primary and secondary level, are benefiting by private activity bonds. This creates parity by allowing public schools for the first time to participate directly in private activity bonds.

Some examples of how this might work—let me give an example that is currently in a stage of finalization in Orange County, Orlando, FL, which is the home of one of the most rapidly expanding school populations in the country.

I ask if I could have 3 more minutes to close.

Mr. COVERDELL. I yield 3 more minutes to the Senator from Florida.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Florida.

Mr. GRAHAM. I thank the Senator.

In the Orange County school district a proposal that is close to becoming a reality involves the school district working with the private developer who will build a public school which will be co-located with a YMCA facility. The school district would make payments on the building at 2 percent interest for 5 years. At the end of that 5-year period the school district will receive the building and lease out space to the YMCA, a creative example of financing co-location, being able to use the school as a means of meeting a variety of the needs of the children of that community. This use of private activity bonds will accelerate the creativity and innovation of school districts, particularly those that are facing crushing demands by escalating student population. This provision in the legislation before us has a cost of approximately $400 million. If I had a criticism, I would say both of these provisions, the one for the small and the rural schools and that for the fast-growing schools, are inadequate to the challenge. But in the one case it is building on progress that we made last year, on the other it is starting a new departure which I think will have tremendous long-term benefit.

So it is for provisions like those that I will vote for this legislation. It is my hope, as I indicated, that with the good will and effort of people like Senator COVERDELL, and Members of my side of the aisle, that in conference we can take the ideas that are consistent with our tradition of a Federal role in education, build upon them, shape them, and bring them to the point that they can serve important, constructive purposes for the youth of America; with those ideas which may have been introduced, I would say, more for theater than for serious public policy, they can be discharged and will not cause the good ideas to be placed in jeopardy.

I want this legislation to become law. I want to see the benefits in terms of access to higher education, school construction, and the other valuable provisions which are included in this bill to be made available to the children and

communities of America. Therefore, I will vote for this legislation. And I wish it well as it moves on to the next stages of its journey.

Thank you, Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. COVERDELL. Mr. President, I want to acknowledge that the work of the Senator from Florida has been immense. All of the provisions that deal with school construction in the underlying bill have been basically the genesis of the Senator from Florida. He has been consistent and persistent, and I want to compliment that work here this evening while he is here.

I yield the floor.

STATE PREPAID TUITION PROGRAMS

Mr. SESSIONS. Mr. President.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Thank you, Mr. President.

Mr. President, I would like to engage the distinguished Senator from Georgia in a brief colloquy to discuss extending to all private college prepaid tuition plans the same tax treatment that public college prepaid plans receive.

Currently, 16 states, including my home state of Alabama and the distinguished Senator's state of Georgia, have established prepaid tuition plans that allow resident families to lock in today's tuition rates for tomorrow's education. Income taxes on the accrued interest in these accounts are deferred until the account is cashed in to pay for college and these taxes are paid at the student's tax rate, which is typically lower than that of their parents.

Mr. President, as valuable as these plans are, however, there are drawbacks. Specifically, the plans typically cover only in-state public universities. Therefore, if a student decides to attend an out-of-state school or even an in-state private school, then the savings accrued in the prepaid plan are less valuable because states typically redeem only the principal and some nominal interest to account for inflation.

Mr. President, as my good friend from Georgia would agree, this places private schools at a distinct disadvantage vis-a-vis their public counterparts.

Mr. COVERDELL. Yes, the Senator from Alabama is correct. Under current law, private colleges are at a distinct disadvantage to their public counterparts.

Mr. SESSIONS. I appreciate the Senator's comments. I would like to ask the Senator from Georgia further, to clarify for me, that under this legislation, H.R. 2646, the A+ Education Savings Account Bill, is there no provision in the bill to place private college prepaid tuition plans on equal ground with public prepaid tuition plans?

Mr. COVERDELL. The Senator from Alabama is correct. Under this bill, HR. 2646, the A+ Education Savings Account Bill, there is currently no provision that would provide the same type of tax treatment for parents and students to use for private college and university state pre-paid tuition programs.

Mr. President, I have met with the Heritage Foundation, and informed them that it is my intention to work to include private colleges and universities into this bill in Conference so they will be eligible for parents and students who choose to attend these private universities and colleges by using state pre-paid tuition programs.

Mr. SESSIONS. I would just like to convey to my good friend from Georgia, that I was prepared to offer an amendment to his bill that would remedy this inequity, by providing private schools the same fair and equitable treatment as is currently provided to public institutions of higher learning.

However, it is my understanding that the Senator from Georgia plans to work with the Senate Finance Committee Chairman, Senator ROTH, and our other colleagues during the conference on this bill to fix this disparity and provide a level playing field for private universities and colleges. Is this a correct characterization of the Senator from Georgia's intention to do so?

Mr. COVERDELL. I would say to my good friend from Alabama, that he is correct. I am committed to fight for the adoption of this provision in conference.

Mr. SESSIONS. Mr. President, I would like to thank my colleague for his strong support on this issue and I look forward to working with him through conference and in support of this bill once it returns to the Floor.

SAME-GENDER EDUCATION AMENDMENT

Mrs. HUTCHISON. I ask unanimous consent to engage my colleague, Senator TORRICELLI, in a colloquy with regard to my recently-passed same-gender education amendment to the Coverdell-Torricelli A+ bill.

The PRESIDING OFFICER. Without objection, so ordered.

Mrs. HUTCHISON. Thank you, Mr. President. I want to thank Senator TORRICELLI and my other colleagues who voted in favor of this important amendment yesterday. I think the Senate's strong 69 to 29 vote in favor of this amendment sent a strong signal that same-gender education should be made available as an option to parents and their children enrolled in public schools. I understand, however, that you have additional questions about the amendment and the issue of same-gender education.

Mr. TORRICELLI. I thank Senator HUTCHISON for setting aside this time today, and for her leadership on this issue in the Senate. I certainly share your support for making same-gender education available to more parents and their children. The benefits of same-gender education have been demonstrated in the context of private and parochial schools, and the evidence is strong that these same benefits await public education, if the legal uncertainty surrounding this issue were lifted.

That is why I was pleased to support your amendment—to allow schools to move forward with same-gender programs, if they deem appropriate, and not with the fear that by doing so they risk losing federal financial support. Nevertheless, during the debate on your amendment, concern was raised as to the legal status and impact of your amendment, and some claimed your amendment allowing same-gender education funding could lead to discrimination against one sex or the other. Could you please elaborate as to why you believe that your amendment complies with both Title IX of the 1964 Civil Rights Act and the Equal Protection Clause of the 14th Amendment?

Mrs. HUTCHISON. I thank Senator TORRICELLI very much for his statement and for his very important question. States, school districts, and individual public schools all over the country have either tried to implement same-gender programs and have been forced to end them, or have been dissuaded from even trying by the threat of lawsuit or termination of federal funds by the Department of Education.

The fundamental purpose and intent of my amendment, then, is to make it clear to these schools that it is the will of Congress that they be allowed to institute voluntary same-gender programs if they believe it will help further their important mission of educating students of both sexes. In no way, however, could this amendment possibly allow discrimination against either girls or boys.

As you know, the text of my amendment is straight forward. It simply adds same-gender schools and classrooms as one of the allowable uses for federal funds under Title VI of the Elementary and Secondary Education Act. As you also know, Title VI is a very flexible block-grant program that can be used for virtually any education reform effort a school district wishes to try, arguably including same-gender programs. But in order to receive Title VI funds for a same-gender school or classroom, the amendment requires that school district offer, quote "comparable educational opportunities for students of both sexes." This requirement is completely consistent with the requirements of both Title IX and the Equal Protection Clause.

Mr. TORRICELLI. What is the opinion of the Senator from Texas on how Title IX and the Equal Protection Clause impact same-gender education?

Mrs. HUTCHISON. Title IX of the 1964 Civil Rights Act prohibits sex-

based discrimination by any school receiving federal funds. However, by explicit omission, Title IX does not apply to admissions at same-gender public schools. This is confirmed by Department of Education regulations that allow public, same-gender schools, as long as comparable courses and facilities are offered to both sexes. That word, "comparable," is the precise word used by the Department in their own regulations. They do not say "equal"—they say "comparable." My guess as to why they chose not to use the word equal is they came to the same conclusion as I did when drafting my amendment—that "equal" means "the same," and that requiring two or more schools or two or more classrooms, (same-gender or coed), to be exactly the same would pose a nearly impossible administrative and legal burden for any school official to meet. It also simply misses the point that in some respects the educational needs of boys and girls are different, and that these differences cannot and should not be ignored. An all-girls or all-boys school that simply ignored the fact that they were teaching only boys or only girls would be an exercise in futility, and educators know it. Enforcing some "equalness" standards, then, would not only fail to clear the way for schools to try same-gender programs, it would very likely ensure the end of such efforts in the future.

I would also note that the language of Title IX simply exempts admissions to same-gender public schools; it does not go on to say that this exemption only applies if a school meets either a comparability or an "equalness" standard. So ensuring that same-sex schools afford comparable opportunities for both sexes, as my amendment does, in fact strengthens the existing protections of Title IX against gender discrimination in schools.

With regard to same-gender classrooms within co-ed public schools, the Department of Education requires that there be a sufficient showing that a single-sex class is necessary to overcome past discrimination against one sex. But this purely agency-created requirement is nowhere to be found in the language of Title IX, and is in fact contrary to the language and intent of the statue. It seems clear that Congress would not allow same-gender schools but prohibit same-gender classrooms, absent some onerous and ambiguous showing of past discrimination. This defies logic and the legislative history of Title IX. So, at least with regard to the use of the education reform funds identified in my amendment, I would seek to reverse this unnecessary and overly burdensome department-imposed requirement.

In fact, it was our colleague, Senator COLLINS, who pointed out how burdensome this requirement really is. She recounted how she had visited an all-girls math class in Presque Isle, Maine. Despite the tremendous results she described in terms of watching girls really excel at mathematics, the school was forced to undergo a host of, as she described them "regulatory hoops" in order to be allowed by the Department of Education to continue to foster this success among girls in math. This is both unnecessary and unwise if we truly want to encourage achievement.

Mr. TORRICELLI. I also noted during the debate that someone cited the recent Supreme Court case involving the Virginia Military Institute in claiming that your amendment did not meet the standard for equal protection of the laws of the 14th Amendment to the Constitution. How would you respond to that?

Mrs. HUTCHISON. As you know, in that case the Supreme Court struck down the state-supported VMI because the state of Virginia failed to, quote "provide any comparable single-gender women's instituion." My amendment follows the Supreme Court's own language and requires that programs offer "comparable" opportunities for both sexes.

I should also highlight that while the VMI case is certainly in keeping with my amendment, it was a case about higher education, which clearly involves different considerations with regard to the different needs of male and female students than elementary and secondary education. The only major case in which the Supreme Court directly dealt with the Equal Protection Clause as applied to K–12 education was in *Vorchiemer*, which involved a challenge to an all-girls academy in Philadelphia. In that case, the Supreme Court upheld a Third Circuit ruling that this single-gender public school did not violate Title IX or the 14th Amendment Equal Protection Clause. The court in that case explicitly held that there are legitimate differences between boys and girls that can justify separate educational programs in order to provide the best education possible.

I appreciated the questions that were raised about this amendment, and I sincerely wish to engage them to see how we might best address their concerns. I hope our discussion here today has been helpful in clarifying some of these questions, and I would certainly be happy to answer any additional questions you or other individuals may have.

The one point I do not wish to get lost in this discussion, however, is that you and I and the other supporters of this amendment simply wish to protect single-gender education as an option. If someone is opposed on principle to single-gender education, that's fine. They can keep their children in a co-ed environment and even oppose single-gender education when their local school board brings it up. But the decision will be made at the local and individual level. Parents and their children and administrators serving the community will choose, and that is what this effort is all about.

Mr. TORRICELLI. I thank the Senator again for taking the time to clarify some of these points on her amendment. I look forward to continue to working with you to provide families with greater educational opportunities.

Mrs. HUTCHISON. Thank you, and I yield the floor.

Mr. CHAFEE. Mr. President, this week the Senate has been debating a proposal that would enable families to invest in tax exempt savings accounts. The funds from these savings accounts could be used for educational expenses from kindergarten through college, including the cost of tuition at private and religious schools.

I voted against this proposal in the Finance Committee, and I intend to vote against it today. If the President vetoes this bill, I will vote to sustain his veto.

At first blush, this proposal sounds appealing. Why shouldn't parents be encouraged to save for their children's education? The problem is that the "encouragement" the proposal would provide, costs more than $1.6 billion over 10 years and, according to the Treasury Department, 70 percent of the benefits go to the richest 20% of Americans. That is money that would be better spent on improving public schools, particularly low-income, urban schools where most of the problems exist. Also, it permits families to use funds from these tax-exempt accounts to pay for tuition at private and religious schools. Doing so would mean that the federal government is subsidizing private and religious education.

I believe that the Federal role in education must be to support public schools. Nearly 90% of students attend public schools. Our nation's public schools are required to take children who come to school at any time of the year, children with disabilities, children whose primary language is not English, children with disciplinary problems, and children with low IQs.

Private schools have the ability to select the smartest and the least difficult students, with the fewest challenges to overcome. Families who send their children to private schools typically come from higher income levels, yet it is these families who would receive the greatest benefits from education savings accounts.

There have been a number of amendments to this bill. Some of the amendments that I opposed have merit, and I would like to take a moment to explain my reasons for voting against them.

Senator MOSELEY-BRAUN offered an amendment that would have provided tax incentives to help pay for school construction. Although her amendment failed, Senator MOSELEY-BRAUN has been very successful in making us all

aware of the deteriorating conditions of our nation's school facilities. I voted against her amendment because I believe her approach would be very difficult for the IRS to administer, and I have concerns about using Superfund taxes as an offset.

Senator GORTON offered an amendment, and, although I have serious concerns about its effect, he has highlighted an important problem with federal education funding. I share his view that states should have some flexibility in spending federal education funds. They should be able to target these funds to schools with the greatest needs, but I don't agree that $10 billion should be given to the states in block grants without the appropriate committees holding a single hearing. Also, the Commissioner of Education in my state had very serious concerns about the impact of this amendment. Next year, when the Elementary and Secondary Education Act is up for reauthorization, I hope that consideration is given to Senator GORTON's point of view and that appropriate hearings are held.

I wholeheartedly agree with Senator MURRAY's desire to encourage smaller class sizes, particularly in the primary grades. In fact, in 1987, I introduced a bill that would have created a demonstration program on small class sizes. Regrettably, the Labor Committee never held hearings on my bill. I voted against Senator MURRAY's amendment because I am concerned about providing short term federal support for hiring new teachers. How would the school districts pay to keep 100,000 new teachers after the federal funding expired? This is a question posed by representatives from local school committees in Rhode Island when they visited my office earlier this year.

Finally, I voted for Senator ASHCROFT's amendment to prohibit federal funds from being used for national testing. Unlike many of my colleagues, I am not opposed to national testing. Parents should be able to compare their child's performance with children across the United States. Parents should be able to compare the performance of their child's school with schools across the state and throughout the nation. Nevertheless, I agree with Senator ASHCROFT that it is Congress' responsibility to authorize a national testing program before federal funds can be used to implement such a program.

Regardless of the outcome, we have had a good debate on a very important issue, namely the federal roll in education in America.

Mr. BAUCUS. Mr. President, it is with mixed feelings that I rise today to oppose, H.R. 2646, the A+ Education Savings Account Act. I am pleased to see that we in the Senate are discussing educational issues. It is an important debate that the American people need to hear. However, I simply don't believe this bill takes our nation's education system in the right direction.

One of my highest priorities is preparing Montana's children for the challenges of the 21st Century.

Education is the only way to improve our economy and keep our kids in-state working at good jobs that help them achieve the kind of future we want for all Americans.

In the area of education I have taken it upon myself to do more than legislate. Because legislation can only accomplish so much. I have worked hard to put over 350 surplus computers in Montana schools. I've encouraged companies to donate funding for computer hardware and software. I've prepared a comprehensive guide on technology funding which has been distributed statewide.

My office also conducted and compiled a survey of Montana schools' technology needs. And I hold weekly internet chats with students throughout Montana.

In working toward ensuring that every child has strong technological, verbal, written , math and critical thinking skills, I have visited over 100 schools during the last year. A lot of these schools are barely making ends meet. Often times teachers and principals are put in the agonizing position of deciding between new books or computers. New desks or a new furnace. While our public schools are in such straits I believe it is unfair to subsidize attendance at private schools.

These institutions are charged with educating all children, not just those who are able to pay or who meet certain requirements.

Public education is a mainstay of our democracy. It is the great democratizer of the American people. Ninety-seven percent of children in America attend public schools. Public education is a promise to all children: if you work hard and commit yourself fully, you can receive a quality education. And you can achieve anything.

Public education is a promise of opportunity—a promise of open doors. And that is a promise which should be our number one priority to uphold.

Unfortunately H.R. 2646 will not open the doors of educational opportunity for the average American family.

This bill would primarily benefit those who are already most able to afford a private education. Those making less than $50,000 per year, will receive a tax cut of only a few dollars from this bill.

Wealthier families who are in a much better position to save money, will have much larger accumulations of tax-free earnings.

According to the Joint Committee on Taxation, 52% of the tax benefit from this bill would go to the 7% of families whose children attend private schools. The other 48% of the benefits would go to the 93% of the families whose children attend public schools. The average benefit to a family with children in private schools would be $37 while the average benefit for families with children in public schools would only be $7.

Expanding the definition of qualified education expense will result in revenue losses of $760 million over five years and $1.6 billion over ten years. That's money that could be better invested in improving crumbling school buildings, buying computer equipment, paying teachers more and making classes smaller in our public schools.

Public education faces more challenges today than ever before. But rather than diverting precious resources and students from our public schools we need to face these problems head on.

Simply abandoning public education does a disservice to every American—it breaks the promises that our country is founded on.

By any measure, the schools in my own state are doing a good job. In 1997 Montana continued to top the nation in ACT scores (fourth highest in the country) and our state's SAT scores continued to be 37 points above the national average in math and 40 points above the national average in verbal skills.

Montana, like nearly half (47%) of the states, has a policy prescribing class size.

Since 1970 Montana and national student/teacher ratios have stayed virtually parallel, with Montana maintaining a ratio of about two fewer students per teacher than the national average. Beginning in the mid-1990's Montana's statewide ratio of 14.8 students per teacher is only one fewer that the national average of 15.8 students per teacher. Class sizes in most of Montana's middle and larger sized school districts are roughly equal to the national average.

Unfortunately the salary scale for Montana teachers has not kept pace with the national average. In 1996 our educators were paid 16% less than the national average.

Federal funding plays an increasingly important role in public education. After stagnating in the late 1980s and throughout the 1990s, Federal revenues now pay more that 10% of Montana's public schools costs; or 2% more than in 1983. Unfortunately, during this period state revenues committed to education have declined. In 1993, state revenues paid for 53.8% of school costs but have now fallen to around 49% of total school expenditures.

Montana is not willing to rest on its education laurels. Our State Board of Public Education is evaluating new standards for math and reading proficiency.

The State Superintendent of Public Instruction recently stated that "(i)t's

time to raise the high bar on education'' by forging ahead with development of new standards for science and communications, English, writing, speech and debate.

Rather than providing tax benefits for those who can already send their children to the best schools, we need to invest in education systems like Montana's that have a proven record of success while insuring that public schools that do not perform well are held accountable for their performance.

We are called upon today to discuss our nation's education system. And I welcome the debate that all sides will give. However, I urge my colleagues to support public education—support the promise that we hold out to all children regardless of faith, race, income or ability.

Oppose the A+ Education Savings Account Act. And hold open wide the door of opportunity for all America's children.

Mr. KEMPTHORNE. Mr. President, I am here today to support the A+ Education Savings Accounts bill the Senate is currently considering.

Many Americans, including single mothers and low and middle income families, face the dilemma of how to afford the best possible education for their children. The A+ bill is good legislation that gives all families education opportunities they may not have otherwise.

During my years as a United States Senator, I have learned that the true measure of the legislation we propose and pass comes from my constituents in Idaho. A letter from a northern Idaho school teacher named Brad Patzer perfectly expresses why the Senate should pass this bill. The Patzer family has one child in 2nd grade and the other in kindergarten. I would like to share with you an excerpt of Mr. Patzer's sentiments regarding the educational future of his two children. Brad wrote, ". . . I believe that the power of choice needs to rest with parents and I agree that this IRA would provide more equal opportunities for those willing to make their children's education a priority.''

The Patzers, like most parents, do not want their children's impending education costs to prevent them from receiving the highest quality education. They want flexibility to make good choices both about day to day K–12 educational expenses and the future enrollment of their children in college. This legislation accomplishes these goals.

The A+ Education Savings plan will aid families and school districts all over the country. As we contemplate the rising costs of education many would believe those comments are solely directed to higher education. As we have learned in recent years, however, parents are having equal difficulty in paying for their kids elementary and secondary schooling. The A+ legislation begins by increasing the current contribution limit of $500 for educational IRA's to $2000. The scope of this IRA is also expanded to allow contributions to be used for day to day elementary and secondary education as well as future college costs. This provision allows parents to save for their future college expenses while at the same time covering expenses during their child's younger years. For example, if a family deposited an original $2,000 in an A+ account at the time of their child's birth, they would have a savings of $4,522 by the time the child reaches kindergarten. Another provision in this bill would establish a tax free status for state-sponsored prepaid tuition programs, allowing students to withdraw from an account, tax-free, that was established years before the student approached his or her college years.

In addition, the A+ bill proposes a new, and creative method for constructing schools. The private sector would be allowed to use tax exempt financing to build schools, and would then be able to lease those facilities back to local school districts. After a designated number of years the facilities would then become the property of the leasing school district. In the bill's current form, Idaho is authorized to issue up to $10.2 million of these new type of bonds; $5 million for wherever the need is the greatest and another $5 million for high growth school districts. Under the bill, however, only a few school districts would be eligible to utilize this bond. I have raised, with the floor manager of the legislation, my concern that economically depressed school districts, not just high growth areas, should also receive special consideration. To be issued, however, these bonds must conform to conditions imposed by Idaho state and constitutional law. The floor manager of the bill, the senior Senator from Georgia, has said he is willing to work to see whether this issue can be addressed when this bill goes to conference with the House of Representatives. The measure retains current federal law that allows school districts, with voter approval, to issue an unlimited amount of tax-exempt bonds for school construction.

As I mentioned earlier, the A+ bill allows for the establishment of a tax-free savings account for each American child. It also contains a special provision for the use of such accounts for children with special needs. Specifically, the bill waives the age limit for children benefiting from such accounts for those students with special needs. I feel this is an important acknowledgment of the financial concerns which can come with being the parent of such a child. We reauthorized the Individuals with Disabilities Education Act because we wanted to improve the way we educate special needs children. This provision will help parents expand on what we have already done.

I would also like to thank my colleagues for their support of my Student Improvement Incentive Grant amendment. This amendment provides states with a new option for how to use their federal education dollars. Under my amendment, states will be able to use these funds to reward schools which demonstrate excellence. Such a system will help create competition between schools to encourage improvement in education. Most importantly, in creating this new option, we did not increase federal regulation, federal spending, or federal oversight of our schools.

I support the pending legislation because it gives parents more financial tools to meet education needs. The bill creates educational savings accounts which allow parents to place as much as $2,000 per year, per child in a designated savings account. These after-tax, non-government dollars would earn interest at a tax-free rate and could be used for education expenses (home computers, tutoring, tuition) associated with any K–12 school. With help of my amendment we have also established a precedence to raise the level of excellence within our schools. This legislation is not the sole answer to the future of America's education, however, it is a step in the right direction. I would urge my colleagues to recognize the significant role this educational savings plan could have in the future of many American students and their families. I would urge my colleagues to support and pass this legislation.

Ms. MIKULSKI. Mr. President, I rise today in opposition to H.R. 2646, the Education IRA Tax Bill. I oppose this bill for three reasons. First of all, it is does not meet the education needs of America's children. Second, it does not support the mission of either public or private education. Third, it does not meet its stated goal of providing economic relief to America's families.

Mr. President, this bill is ineffective in serving the education needs of our children. One of my priorities as a Senator for Maryland is standing behind our kids. I believe this priority should also be at the heart of the Senate's agenda. The bill before us does not reflect what America's priorities in education should be.

Let me state clearly that I believe that education should be a non-partisan issue about what is good for our kids and the future of our country. Fighting for education does not mean pitting our schools or our people against one another. It should not be about private schools vs. public schools, or wealthier people vs. people with more modest means of educating their children.

This is not what education is about. This is not what the business of the

Senate is about. We are here to do the very best we can for ALL of the people of America, not just a select few. We have a duty to help ALL of the children of America to prepare themselves for the 21st century.

We need to be able to look toward a future that promotes a sustainable, robust economy. A key element to our future is educating those who will be governing our future. We need to invest in our children's education so that they can skillfully navigate our country into the ever expanding world markets. They need the skills to become productive members of our workforce. Our children need the educational tools that allow them to understand the complicated economic mechanisms that govern our modern world.

While the Coverdell IRA bill purports to be a pro-education bill, it does nothing to improve the education of the majority of our students. Coverdell does nothing to ensure our kids have the tools they need to cope with these important issues as future leaders and hardworking adult citizens of our country.

Support for public education must be the priority for federal investment. Coverdell represents an actual divestment in public schools. The Coverdell bill costs $1.6 billion dollars over the next ten years and gives the majority of the benefits to only 7% of the families with children in school. Even those benefits are meager ones. For example, the average family with children in private schools stands to benefit only $37 a year in tax exclusions.

This $1.6 billion can be much better spent following an agenda that truly gets behind our kids. The Senate should support and pass legislation that offers real solutions to address the problems faced by our schools.

Students cannot learn in overcrowded schools that are falling down around them. Schools in every state in this country are in desperate need of repair. This year, K–12 enrollments reached an all-time high of 52 million children and they will continue to rise. It is estimated that we will need to build 6,000 new schools by 2006 to maintain current class sizes. Leaky roofs and overcrowded classrooms are the real problems that need to be addressed, not whether an average $37 per year tax benefit is what is best for Americans and education.

We should target scarce federal resources to finance the construction and modernization of our public schools. These are the schools that 93% of our children attend. These schools will help many communities provide modern, well-equipped schools that can be wired for computers and technology so the children can get the education they need to succeed in the 21st century. These are also the same schools that may house after-school education and safety programs which our children need.

We need to place our priorities on hiring new teachers. I supported Senator KENNEDY's amendment to hire 100,000 new teachers and to make certain that they are well qualified in the areas we need them most.

Under the 1994 Crime bill, we agreed to add 100,000 cops to police forces throughout the country. My own state of Maryland has added over 1,200 cops—who are out in the community fighting crime. I know what a difference they've made in preventing crime, and in ensuring that those who commit crimes are apprehended. Our streets are safer because of this program. Think what a difference 100,000 new teachers could have made. I am disappointed that this amendment was not approved.

The Coverdell bill does not meet any of these dire education needs—for school repair, for school construction, for more teachers and smaller class sizes. It is silent on these critical needs.

The Coverdell bill is ineffective in supporting the mission of either public or private education. I believe that public education—the choice of 93% of America's families—must not be shortchanged by the federal government. But let me be clear that I support our private schools as well. I am a proud product of parochial schools. What I am today I owe in large measure to the sisters who educated me in Baltimore's parochial schools. They nourished my intellect, and they nourished my spirit.

So I know about the value of private schools and I support private schools. But I believe there are better ways to support private school education. The federal government already provides substantial assistance in support of private education. There are a range of federal programs that private schools can take advantage of which are designed to serve a variety of school student and teacher needs.

For example, there are 366 private schools in Maryland that take advantage of "Innovative Programs," a federal program available to both private and public schools. Innovative Programs supports a broad range of local activities in eight primary areas including technology, reform implementation, disadvantaged children, literacy programs, gifted programs and some Title I and Goals 2000 activities or programs. I believe that better use of the resources tied up by this bill—some $760 million over the next five years—could be better used through supporting existing programs that benefit both public and private schools.

Finally, Mr. President, this legislation is ineffective in providing economic relief to America's families. I know how hard many families of modest means struggle to give their children the best education possible. The Coverdell bill has been presented as a tool to give these families some financial relief. But, that is a hollow promise. The average family with children in private schools would receive tax relief of only $37.00 a year. $37.00, Mr. President. I know that every dollar counts, but $37.00 a year is not going to make much of a difference in the average family's budget.

The bottom line is that the education IRA will not fix our crumbling schools or help us bring qualified teachers into our classrooms. The education IRA will not bring the information superhighway to public schools. In fact, it will bring very little benefit to the majority of Americans and no benefit at all for Americans who cannot afford to contribute money to these savings accounts.

For these reasons, I must oppose this legislation.

Mr. McCAIN. Mr. President, I want to cast my wholehearted support for a very important piece of legislation for our children and our nation's future, H.R. 2646, the A-Plus Education Savings Account Act. As my colleagues know, this bill would provide families with the economic freedom to save their own money, tax-free for their children's elementary and secondary educational needs.

I am excited that the Senate is about to pass a bill which addresses the unique educational needs of all our children while making significant strides toward improving their academic performance. This bill is an important step toward returning to parents and communities the means and responsibility to provide for their children's education. This is why I support the A+ bill and will continue to support innovative, flexible programs which focus on the best interests of our children, our future.

As an original cosponsor of this legislation, I have consistently worked with my colleagues to ensure passage of this bill and have looked forward to the day when it would pass the full Senate.

Unfortunately, I will be unavoidably absent for the final vote on this crucial education measure. I am very disappointed that the vote on final passage for this measure was unexpectedly delayed. If I had been able to be present this evening, I would have voted yes for this bill.

Again, I want to reiterate my commitment for this bill and regret my absence for witnessing the passage of such a monumental measure. Finally, I would like to take a moment to applaud the leadership of my colleague, Senator COVERDELL and his staff for his commitment to this proposal. He has fought tirelessly on behalf of our nation's children and should be commended for his efforts.

Mr. ALLARD. Mr. President, today I encourage my colleagues to support legislation which will open doors to education opportunities for parents and children throughout our nation.

Education savings accounts are a sensible step toward solving the education crisis in America by allowing families to save their own money to pay for their child's educational needs.

This bill would empower parents with the financial tools to provide for all the needs they recognize in their children—needs that teachers or administrators should not be trusted to address in the same way that a parent can.

These accounts would provide families the ability to save for extra fees, tutoring, home computers, S.A.T. preparation, transportation costs, or in cases of violent incidents, would allow a family to consider another public or private school.

This kind of tax relief is especially important for parents who are working two jobs with no extra time to help with homework, or those who do not feel adequate in their own knowledge to tutor their children.

As parents, I know that my wife and I were the best judges of our children's needs because we truly cared about their future.

And as all parents realize, I knew that I was in the best position to address those needs.

As a small businessman, I would have welcomed an opportunity to accrue tax-free interest to help pay for more opportunities in education for my children.

Far too many parents find that their hopes to provide the best education for their children are crushed as they realize the costs involved in accomplishing this task.

Contrary to popular myth, 75% of the children who would benefit from this bill are public school students. The new estimates released by the Joint Tax Committee appear to disprove the claim that public school revenues would be reduced by A+ accounts.

The Joint Tax Committee estimates that by the year 2000, 14 million students will be able to benefit from this bill, with 90 percent of those families earning between $15,000 and $100,000 a year.

This savings is not reserved for the wealthy but instead lifts the burden from our nation's hard working lower and middle class families.

This bill is good for families—it's good for schools—especially public schools.

Since parents would be spending their own money, it fuels parental involvement in their children's education.

And because it gives them increased resources that can be used for education at their own child's school, it encourages parental involvement in the schools as well.

Tax-free savings accounts may not fix our nation's education system, but they will give parents an opportunity to make a difference for their own children and their own community's school.

Our tax code has always encouraged various deductions and credits for investment in physical capital, but why have we never encouraged investments in human capital?

Education for our children is the most worthwhile investment we have—one that we should protect and foster growth.

This bill is a positive step towards reform and choice in our public school system.

Why anyone would vote against tax relief for America's families and improving education for all of our nation's children at the same time is difficult for me to understand.

I thank the Senator from Georgia, Mr. COVERDELL, for introducing this bill.

I believe that the working families in our states will thank us for handing them an opportunity to invest in their own children.

Mr. LAUTENBERG. Mr. President, I rise in strong opposition to the Coverdell bill. This bill will undermine our public schools and provide the bulk of the tax breaks to wealthy individuals.

Mr. President, before I talk about the Coverdell bill, I want to make two points. First, I am not opposed to tax cuts for families which help them make ends meet and invest in their children. For example, last year I supported the $500 family tax credit and the HOPE Scholarship $1,500 tax credit for college tuition both contained in the 1997 Taxpayer Relief Act. I also believe that we can enact further targeted tax cuts for hard working middle class families this year without tapping the surplus.

Second, I am not opposed to private schools. In fact, I commend the teachers and administrators in private schools for their work. And I strongly support the mission of the private schools in my State. Catholic, Jewish, and other parochial and private schools provide an excellent education to thousands of New Jersey children.

But I am also a strong supporter of our public school system, because 93 percent of all children go to public schools. They come from all different, racial, ethnic, religious, disability, academic and financial backgrounds. They are generally poorer than children who go to private schools. They tend to live in unsafe neighborhoods—surrounded by crime and drugs. They mostly attend schools that are in need of great repair. Many have no textbooks and ancient computer equipment that does not provide them access to the internet.

Mr. President, these children should be our highest priority. And I will never give up on them.

I strongly believe in educational equity—the ability for all kids to have access to an excellent education with modern facilities and talented teachers. But the Coverdell bill will only make our educational system less equitable. If we pass it, we are turning our backs on our public schools.

Mr. President, as ranking member of the Budget Committee, I must tell my colleagues that Federal budgeting is a zero sum game. And since this bill effectively spends money to help private schools, we cannot spend more for public schools. It is that simple.

Unfortunately, our public schools have enormous financial needs. For example, our schools need a tremendous amount of modernization. In fact, our existing school buildings are in such poor shape, the General Accounting Office estimated that we need to spend $112 billion on repairs and renovations. Fourteen million children—mostly from poor or inner-city school districts—attend schools that need extensive repair or replacement.

But the needs of our public schools do not stop here. They need modern computers. They need to be hooked up to the internet. They need more teachers to reduce class size. That is why the President proposed hiring 100,000 new teachers. We also need greater funding for educating disabled children. And the list goes on and on. That is why the 93 percent of all American children who attend them should be our number one priority.

Mr. President, this bill is also unfair as a matter of tax policy. While we are awaiting final figures from the Treasury Department, I would like to point out the tax distribution of last year's Coverdell bill. Under last year's Coverdell bill, the average tax benefit for the richest 20 percent of all Americans would be $96. But do you know what the average tax benefit would be for the lowest 20 percent of all Americans? One dollar! One buck!

Mr. President, this means that the richest Americans would get ninety-six times the tax break that the poorest Americans would get under the old Coverdell bill. Now, I understand that this new Coverdell bill is slightly modified, but I understand that the same dramatic inequity still exists.

We simply should not pass a tax bill that is so skewed toward the rich. Any tax relief should be focused towards middle class Americans—people who work hard to raise their families.

Mr. President, the Democratic alternative to this bill meets part of our educational needs in an equitable manner. It will provide tax incentives for employer paid education and pre-paid college tuition plans that exist in many states. It also provides $22 billion for school modernization. This will mean that thousands of schools across our country will have better science labs, safer classrooms and smaller class size.

If we pass the Democratic education plan, along with the President's proposals to hire 100,000 teachers to reduce

class size, increase the number of tutors available and create new education opportunity zones, we will see real improvements in our educational system both public and private.

Mr. President, I am pleased that the President has indicated that he will veto the Coverdell bill. It will hurt our public schools and provide a tax break for the rich on top of it. When it comes to our public school children, this bill says "let them eat cake."

I ask my colleagues to oppose this legislation for the sake of the millions of children who walk through the public school door house every day and seek a solid physical and educational foundation.

Mr. DORGAN. Might I, before I yield time to the Senator from Delaware, Senator BIDEN, inquire of the Senator from Georgia—those we know on our side who have requested time include Senator BIDEN for 5 minutes; Senator KENNEDY for 5 minutes; and Senator DASCHLE for 10 minutes. That represents the list of all of those we know who will be here to speak.

Could the Senator from Georgia indicate to us the list that he has so we might determine when we might be headed for a vote?

Mr. COVERDELL. My list is Senator DOMENICI, the distinguished Senator from New Mexico, and my closing remarks. We are 15 minutes or less. That would put a vote around 7:30.

Mr. DORGAN. Mr. President, if that is the case, it might be useful for Members to understand that some time in the next 35 minutes or so we might be heading toward a vote. So with that, I yield the 5 minutes to the Senator from Delaware, Senator BIDEN.

Mr. DOMENICI. Would the Senator yield?

Mr. BIDEN. I would be glad to yield.

Mr. DOMENICI. I want to be clear, on my time I would like to yield part of my time to Senator BINGAMAN on a Steve Schiff memorial we want to introduce. We will not take much time.

Mr. COVERDELL. Fine.

Mr. BIDEN. Mr. President, I have listened to and been involved in this debate now for weeks before this got to the floor, and since it has gotten to the floor, and now in the final moments. And I find myself in an unusual position. I think the claims made by everyone on both sides of this issue are greatly exaggerated.

Although I have voted against vouchers, and have voted against direct funding to private schools, I strongly support, and have since I got here in 1973, the use of the Tax Code to indirectly assist private schools.

My friend from North Dakota talked about how the public schools are getting short shrift, but so are the private schools. The private schools I went to were Catholic grade schools where the average income I expect was lower—I know it was lower in the neighborhood I lived in—than the average income in the public schools. I will not belabor this, mainly because no one is interested and, secondly, because I do not have the time.

I think when we get here on the floor and people say, this is really about priorities, I agree. And if the debate really were whether or not to spend this money for aiding higher and elementary and secondary education, all three—and about $300 million of this bill is for secondary and elementary education through the Tax Code—I would say that is a legitimate debate.

The truth is, most of the people who are voting against this are voting against it because in principle they don't think the Tax Code should be used this way, period. They have no desire under any circumstance—and they think it is anathema to our system—to help even indirectly private schools.

So I find myself in strong disagreement and in a distinct minority in my party on that view. Consequently, I voted against a whole lot of things I have supported for 20 years, because most of the initiatives that were brought up that I supported were in lieu of—in lieu of—this use of the Tax Code, this IRA, which is going to be a very, very small amount of money for most people, by the way.

Then having done that—and I do not in any way suggest that the sponsor of this legislation had this in mind—along came an amendment that trumped everything for me. I have always been an extremely strong supporter of public schools. I have supported education for the 25 years I have been here. With every major education initiative, I have played a small part, at least in my vote, along with the Senator from Massachusetts, who has been the leader in this body on education issues since I have been here.

So along comes an amendment by Senator GORTON that essentially emasculates the notion of Federal participation in the education process in our country. I am not suggesting that he is not philosophically committed to the notion that there should be no Department of Education, that it should all be local. But, I think that is malarkey. I think that is absolutely "brain dead" in terms of what this country needs. That is my view.

So now I am faced with a dilemma. I want to support this bill. But, in helping a little tiny bit those parents who send their kids to private schools—over the objection of my friend Senator KENNEDY and others—in the process, from my perspective, I would be voting to emasculate the Federal responsibility in education by shifting all programs to a block grant.

I find it ironic, by the way, all this talk from Republicans about, "We don't want any directed education programs, we want block grants," and then everyone voted for a Republican-sponsored amendment to create a new directed Federal Government education program which is not a block grant.

At any rate, I can no longer support this bill. It really makes me angry with myself that I can't vote for this bill. All these years trying to get a little bit of fairness, in my view, for private and parochial schools. It is just about to happen, and I can't vote for it now because it undermines everything I have believed about the role of the Federal Government in education for the last 25 years.

So I say to my friend from Georgia, who has been straight up with me, upfront with me, the whole way—our offices are across from one other—although we met on this and strategized on this, and, I think to the chagrin of my Democratic colleagues, although I helped play a part in getting this bill to the floor, now I can't vote with him.

Now, if you go to conference and this is dropped—that is, the foolishness of the Gorton amendment—and the bill comes back here without the Gorton amendment in it, I will vote for it and I will vote to override a Presidential veto. But I cannot vote for it in its present form.

The reason, Mr. President, I wanted to vote for the Education IRA proposal is because I believe in it. I have always believed—and I voted as far back as 1978—that we should find some way to help financially those parents who wish to send their children to the school of their choice.

That does not mean that I support every effort to provide tax dollars or tax breaks to support private education. But, I have supported—and will continue to support—reasonable, appropriate, constitutional measures that do not take money away from the public schools to help middle-class and lower-income families who choose an alternative to public schools.

Let me also say that my support for this bill—and similar initiatives—should in no way be viewed as an abandonment of public education. Yes, there are some supporters of this bill who believe that there should be no Federal role in education or that the Federal government should not help States fund public education or that we should decrease our commitment to public education. I have not, do not, and never will subscribe to that philosophy.

I have supported and will continue to support increasing funding for public schools and for programs to help the public schools—Title I for disadvantaged children, Goals 2000 academic standards, safe and drug free schools, special education, school construction, and smaller class sizes, to name a few examples. Public education must be our top priority. But, no matter how much those on both sides of this issue try to make it so, this is not an either-

or choice—where you either support public education or you support families who choose an alternative to public schools. That is a false choice.

Now, having said all that, Mr. President, let me explain in some detail why I believe it to be true—why I believe this bill is reasonable and appropriate, and does not undermine public education. In doing so, I need to review some of the provisions of this bill, which my colleagues are familiar with. I do this because as I have talked to people about this bill—and as people have talked to me—it is clear that there is a lot of misunderstanding about it. So, let me take a few minutes to explain exactly what this bill is and is not.

This bill is not a voucher bill. It does not provide a voucher or grant to pay for private schools. This is not a tuition tax credit bill. It does not give a tax write-off for the costs of tuition at private schools. And, this is not a bill to aid private schools. It does not give private schools a dime of tax money.

What this bill does is simply say that the interest earned on a family's savings that are used for education will not be considered taxable income. Let me be more specific.

Last year, we established Education IRAs for higher education. This was a proposal that I had originally introduced in 1996 as part of my comprehensive bill—known as the "GET AHEAD" Act—to make college more affordable for middle-class families. Under last year's tax bill, families can now put up to $500 per year into an Education IRA and if that money is later used to pay for the costs of higher education, the interest on that savings will not be taxed.

This bill does two things to build on last year's law. First, it increases the amount that can be put into the account each year from $500 to $2000. Second, for families with incomes under $160,000, the bill allows funds in an Education IRA to be used—without having to pay tax on the interest—for the costs of a child's education at any level—elementary, secondary, or higher education—and at any school, public or private, or for home schooling expenses.

There is no tax deduction for the amount put into the savings account. And, there is no tax deduction for the entire cost of a private school education. Those are myths. This bill simply says that interest earned on Education IRAs—which already exist for higher education—will not be taxed if the money is used at any level of education. What is the harm in that? I see none. We are simply expanding existing Education IRAs so that people can use their own money to pay for elementary and secondary education costs.

Now, Mr. President, here is something interesting. The cost of this proposal is estimated by the Congressional Budget Office to be $1.6 billion over ten years, paid for by closing loopholes in the current tax law—not by taking money away from public schools. But, about $1.3 billion of the cost is expected to result from Education IRAs used to help finance the cost of a higher education. Only $300 million—and, remember, that's over a 10-year period—would result from Education IRAs used to help pay for elementary and secondary education. In other words, less than 20 percent of the cost of this proposal is a result of Education IRAs being used for elementary and secondary education costs—what all the hullabaloo has been about—and some of that would be used by families with children in public schools.

Let me repeat that. Under this bill, Education IRAs can be used to help families whose kids attend public schools. If parents need to buy their kids public school uniforms, they can use this money. If parents need to buy their kids a computer, they can use this money. If a child needs an after-school or summer tutor, parents can pay for that tutor using this money.

How is that a disaster that will befall this nation's public school system? The answer is, it is not. That is a rhetorical exaggeration by opponents of this bill, who are trying to have it both ways. On the one hand, they claim that this bill is significant because it will undermine public education, and on the other hand, they argue that this bill is meaningless because the tax benefit for the average family, they claim, will be $37 per year. Which is it—significant or meaningless? It cannot be both.

The truth is, this bill in the aggregate will have only a marginal impact. But, to some families, it will be a real help. And, so I believe that this bill is an appropriate way to reach a desirable goal—assisting parents who wish to send their children to the school of their choice.

Finally, Mr. President, although I support this bill, let me say that I am disappointed with the way the Republican leadership chose to bring up this bill. I am disappointed because we did not use this opportunity to have a serious debate on education in this country. By any measure, as I just noted, this bill will have only a small impact. And, it will help primarily—not exclusively, but primarily—families whose children attend private schools. I support it out of a sense of fairness.

But, meanwhile, there are 45 million public school children in this country. And, we have schools that are falling down, classes that are overcrowded, and children who have nowhere to go and nothing to do when the final school bell rings at 3:00 in the afternoon. Even if the Education IRA proposal becomes law—which I think it should, and I hope it will—it is not a fix for the problems of America's schools, and we should not pretend otherwise. No matter how important I think this bill is, it is not about making our public schools better. We could have put more money in building and repairing schools. We could have put 100,000 new teachers in our elementary school classrooms to reduce class size. We could have funded after-school programs to help keep kids off the streets and away from crime. We could have done all of these things in addition to the Education IRA proposal. But, we did not.

We have missed the opportunity to think big and have instead gone forward with a bill that gets by with something small. Nonetheless what is being done here is important, and I look forward to voting for it if the Gorton amendment is dropped.

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

Mr. DOMENICI. Mr. President, I thank the Chair.

(The remarks of Mr. DOMENICI and Mr. BINGAMAN pertaining to the introduction of S. 1978 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DOMENICI. Mr. President, this is a very important education bill before us today.

It is a revolutionary education bill.

It encompasses a major philosophical shift.

This legislation is as significant as when we, as a society, decided that it was okay, in fact desirable, to teach girls to read. It is as big of a philosophical shift as when the Supreme Court struck down separate but equal schools in the 1960's.

This bill stands for the proposition that during a time when our technological capability is undergoing exponential change, education also needs exponential change not incremental tinkering.

To understand the magnitude of this proposed change, start with old adage "follow the money."

The Gorton amendment takes the money and provides three different paths for it to follow. Instead of a myriad of overlapping programs, each with its own set of guidelines, principles, and educational commandments, states are given maximum flexibility. Flexibility not only on "what" to do with the federal education dollars but "how" those federal dollars should be delivered to states.

States can opt to send funds directly to local school districts minus the federal regulations; or—states can decide they want their federal money to be sent to the state education authority without federal regulations or—states can opt to continue to receive federal funds under the current system.

States are supposed to be laboratories for government experiments. The Gorton amendment allows this experimentation so that Congress will have some concrete examples and data to see how each approach works.

This bill stands for the proposition that the best decisions regarding education are local decisions and this amendment gives the federal purse to the local decision makers.

This bill stands for the proposition that our schools need to do things differently. Too many kids are merely getting "social promotions" to keep them in a class with their age group regardless of whether they have learned their lessons. It is a sad state when many of our graduates can't read the diplomas they receive at graduation.

Too many schools don't teach the basics any more, and what they do teach isn't taught very well.

Another important philosophical shift encompassed in this legislation is the long-overdue, common-sense revelation that it is reasonable to expect teachers to pass a competency test before we can expect our students to be able to pass tests. I am pleased that this bill includes a provision providing for teacher testing and merit pay.

The bill now includes an amendment to provide new grants to states that (1) test K–2 teachers for proficiency in the subject area they teach and (2) has a merit based teacher compensation system.

In line with my belief that teacher competence is key to improving American education, this bill creates incentives for states to establish teacher and merit pay policies.

I believe the best teachers should be rewarded for their efforts to educate our children. A little competition in our public schools would be a good thing for rewarding these teachers who excel at their profession and motivating those who may need to improve their performance.

The MERIT amendment would use the Eisenhower Professional Development Program (Title II) to provide incentive funds to states that establish periodic assessments of elementary and secondary school teachers, including a pay system to reward teachers based on merit and proven performance.

The legislation would not reduce current funding for the Eisenhower Professional Development Program. Incentives will be provided to states that establish teacher testing and merit pay programs. The amendment permits the use of federal education dollars to establish and administer these programs.

The Eisenhower program, established in 1985, gives teachers and other educational staff access to sustained and high-quality professional development training. In 1998, the Congress approved $28.3 million, $10 million more than in 1997, for the Eisenhower program to provide in-service training for teachers in core subject areas.

The President requested $50 million for the Eisenhower program in 1999, an increase of $26.7 million above the $28.3 million provided in 1998. New Mexico received $2.4 million in 1997 for all 89 school districts. The President funds his 1999 request at the expense of Title VI, Innovative Program Strategies, which New Mexico also heavily utilizes. He requests no funding for this program, which received $350 million in 1998.

This is but one step forward in our bid to improve the educational performance of American students. This amendment supports the principle that all children deserve to be taught by well-educated, competent and qualified teachers.

This bill also builds upon the education savings accounts enacted last year. It expands the amount of money that can be saved and expands its uses to include K–12.

About 14 million individuals are expected to sign up for these accounts by the year 2002. Contributions can be saved to cover college expenses or used when needed to pay for a wide range of education expenses during a student's elementary and high school years. Examples of eligible expenses include text books, computers, school uniforms, tutoring, advanced placement college credits, home schooling, after-school care and college preparation courses.

A tutor can make the difference between success or a student falling hopelessly behind.

A computer can open the world, as well as cyberspace to a child. Children growing up in homes with computers will be the achievers. I am afraid children growing up in homes without computers will be at a disadvantage. This bill will allow money from an education savings account to be spent on a computer, software, and lessons on how to use the computer.

The bill has several solid worthwhile provisions.

It raises the limits on annual contributions to an education IRA from $500 to $2,000 per year, and allows accounts to be used for K–12 expenses. The bill allows parents or grandparents to make the contribution in after-tax money each year.

The Accounts would grow with interest, and withdrawals for educational expenses would be tax-free. A+ accounts, as under current law, are targeted to middle income taxpayers. Eligibility phases out beginning at $95,000 for individuals and $150,000 for joint filers. Under these terms almost all New Mexicans would be eligible to set up one of these accounts.

The bill allows parents to purchase contracts that lock-in tomorrow's tuition costs at today's prices. This bill would make these savings completely tax-free.

Families purchasing plans would pay no federal income tax on interest build-up. Under current law, state-run programs allowed tax-deferred savings for college. However, savings in such plans, when withdrawn, are taxable as income to the student. This provision would benefit one million students.

Twenty-one states have created tuition plans. New Mexico has not yet implemented one but it does have a proposal under consideration. If the state finalizes it pre-paid tuition plan future students would be able to benefit. Prepaid tuition plans are a great way to secure the future.

The bill extends through 2002, the exclusion for employers who pay for their employees' tuition and expands the program to cover graduate students beginning in 1998. The exclusion allows employers to pay up to $5,250 per year for educational expenses to benefit employees without requiring the employees to declare that benefit as income and pay federal income tax on the benefit. One million workers including 250,000 graduate students, would benefit from tax-free employer-provided education assistance provision.

The bill also creates a new category of exempt facility bonds for privately-owned and publicly operated elementary and secondary school construction high growth areas. The bill makes $3 billion in school construction bonds over five years. This is enough to build 500 elementary schools.

I hope the Senate will complete its work quickly on this bill and that the President will sign it.

Mr. President, this education bill is a revolutionary education bill. When you look at it on its four corners as it has finally passed the Senate, it is not nibbling around the edges. It is asking we make some fundamentally different decisions about the Federal involvement in public education.

I am not sure everybody understands that the Federal Government's involvement is about 7 percent. So when we talk about our U.S. Government having an impact on education for kindergarten through 12, about 7 percent of the money spent in the public schools across this land comes from the Federal Government. That means 93 percent comes from the States, municipalities, counties, boroughs and the like.

From what I can tell, the Federal Government has been doing too much dictating for 7 percent of the resources that they give to the States, too much of a heavy hand trying to dictate outcomes with very little money. One of the worst examples of the Federal Government's involvement is when we decided we should help the disabled young people get into the mainstream of our public schools, a wonderful idea. Then we said we will pay 40 percent if you pay 60 percent. To this day, to this night as we stand here on the floor, the Federal Government has paid 9 percent, yet we impose regulations. The latest ones on the IDEA bill that implements our desire to help public education mainstream and educate disabled young people, this 9 percent has for many schools dictated such onerous mandates that some today are willing

to violate the law in order to get before a judge to show that some of what we are doing is so arbitrary that it is not even common sense.

Now, frankly, the revolution is twofold, as I see it. One, we are going to take a third of our public education money and say to our States: You have three options. You can take this one-third of our funding, a number of programs, and leave it just like it is. You can stay with these categorical programs where we put up a tiny bit of money. We have bureaucracy and regulations coming out of everybody's ears as we try to impact on education with a little sliver of money, with a marvelous purpose and goal attached to it. So, one, you can take it and keep it that way. The other is, you can say: State of New Mexico, State of Alabama, you send that money right to your school districts to be allocated to them proportionately and let them decide how to use the money in the best interests of their problems. Third is for the State to say: We will administer the money to the school districts and let them spend it the way we dictate. In all events, it is a marvelous research project. There is no downside for our kids.

What we are doing is not working. So for those who stand up and worry about this new change, what is working today? Things are getting worse. We just had a TIMMS report that looked at our math and science kids, and it said the following, plain and simple: Up to the 5th grade, we are doing great. From 5th to 12th, we go right off the log, like the Titanic, into the ocean.

We are at the bottom of the heap by the time the 12th grade arrives in the United States of America, the highest technology and science country in the world. We are sitting around worrying about one-third of the programs that we have been dumping on our school systems with highfalutin goals, and we are saying to the school systems that you can decide where to put that money. The other two-thirds we will leave the old way.

Now, that is a revolution worth putting right before the public and seeing what happens. The other one is a little bit of a movement in the direction of merit pay and expanded teacher education. Both of them are revolutionary ideas and neither of them will harm anyone—in particular, the young people of our country. The chances are they will help our young people.

I know the President is going to veto this bill, but I am as positive as anything that the change in public education from the U.S. Government will start with this bill. This bill is going to start a change that is going to be borderline revolutionary. We are either going to do more and accomplish more, or essentially we are going to find out why not.

I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I yield 7 minutes to the Senator from Massachusetts, Mr. KENNEDY.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 7 minutes.

Mr. KENNEDY. Mr. President, the Republican approach these days often seems to be "one ideology fits all." They want to privatize everything. They want to privatize Social Security, they want to privatize Medicare, and now they want to privatize education, and that would be their biggest mistake of all.

People ask why this bill is so important and why this debate has been so hard-fought. The answer is clear. This is not just another ordinary bill, or ordinary day, or ordinary vote in the life of the Senate. The Republican Party is making a massive mistake, a mistake of truly historic dimensions, if they turn their backs on public schools, if that is the clear signal they are sending the country by pushing this misguided bill, because its fundamental purpose is to aid private schools, not help public schools. We all know that public schools have problems, but our goal should be to fix those problems, not ignore them or make them worse.

Over the past few days, the Senate has had the opportunity to correct the defects in this bill and direct scarce resources to the public schools that have the greatest need. But at every turn Republicans have chosen to make this bad bill even worse. The bill uses tax breaks to subsidize parents who send their children to private schools, and it is a serious mistake. It diverts scarce resources away from public schools that have the greatest need. It undermines the important Federal role in education, and it bans voluntary national tests. It does nothing to improve public schools. It does nothing to address the serious need of public schools to build new facilities and to repair crumbling existing facilities. It does nothing to reduce class sizes in schools. It does nothing to provide qualified teachers in more classrooms across the Nation that will be needed. It does nothing to provide after-school activities to keep kids off the streets, away from drugs, and out of trouble. It does nothing to help children reach high academic standards. It does nothing to improve the quality of education for children in public schools.

On issue after issue, the Republican bill undermines Federal support for education, and that is irresponsible. We know what it takes to achieve genuine education reform. The place to start is by resoundingly rejecting this defective bill that destroys the national commitment to improving education for all students.

The challenge is clear: We must do all we can to improve teaching and learning for all students across the Nation. We must continue to support efforts to raise academic standards. We must test students early so we know where they need help in time to make that help effective. We need better training for current and new teachers so that they are well-prepared to teach to high standards. We must reduce class size to help students obtain the individual attention they need. We need after-school programs to make constructive alternatives available to students. We need greater resources to modernize and expand school facilities to meet the urgent need of schools for modern technology and up-to-date classrooms.

We cannot stand by and enact a regressive bill to help private schools at the expense of public schools. It is clear that our Republican friends are no friends of public schools. This Republican anti-education tax bill is wrong for education, it is wrong for America, and it is wrong for the Nation's future.

Public education is one of the all-time great achievements of our country. Education is the key that unlocks the golden door of opportunity. Great leaders of a century and more ago understood that. They understood what may be the greatest experiment of all in American democracy. They insisted on free public education for all, and in doing so they laid the solid foundation that made this country the most powerful and most successful nation on earth in this century. None of us—no Republican, no Democrat—should retreat from that basic bedrock principle. Yet, this unacceptable bill does that. It hangs a sign for all to see on the front door of every public school in America: Abandon hope, all ye who enter here. Get out while you can, public schools have failed. Find a private school that will take you in and we will subsidize the cost.

I categorically reject that view. Public schools have not failed. Public schools are still the backbone of American education, and they always will be. Let's solve their problems, not abandon them. Let's defeat this bill and make a fresh start to do all we can to help our public schools.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. DASCHLE. Would the Chair inform us as to the current status regarding time?

The PRESIDING OFFICER. The Democrats control 41½ minutes, and there are 8 minutes 49 seconds left for the Republicans. I heard some discussion earlier about yielding that back.

Mr. DASCHLE. Mr. President, it is my understanding that I am the last speaker on our side, and then we have one speaker left on the Republican side. It is with that understanding that I will yield such time now as I may consume.

First of all, let me begin by commending the distinguished senior Senator from Massachusetts for his eloquence again just now and for his remarkable leadership on this debate for the last several days. He has been our quarterback, and he has been a real inspiration to many of us. I thank him, and I thank all of our colleagues who have done so much to contribute to this debate, who have done so in a civil way, who have done so in an enlightened way, who have done so with every good intention about raising the level of debate and talking about these critical issues, recognizing the significant difference of opinion that exists between our parties on this important matter of national concern.

This debate started out as really a difference of opinion on how we commit about $1.6 billion in resources to education. I have noted in the past that I have great admiration for the Senator from Georgia and his interest in pursuing ways in which to improve to education. I differ with him strongly on this particular issue. We have noted on many occasions as we have made reference to his approach that the original design of this legislation did little to address the real problems we have in education. We have argued on this floor on many occasions whether, with $1.6 billion, we should give tax relief largely to those in the most successful quintile of our economic strata. I am told about $37 in tax benefits would go to the top 20 percent of income earners in our country.

The question is, is that the best way for our Federal Government to commit these hard-earned tax dollars? Should we provide that kind of tax relief, as laudable as the intentions might be and as a different an approach as it might be? Certainly we want to encourage saving. Certainly we want to find ways to reduce the overall cost to all American families of education. The question is, is this the right way? Is this the best way?

There are those who have argued that if you do not favor the status quo, that this is the approach we ought to be subscribing to. Mr. President, I have to say, probably of all the things that have been said on the Senate floor with regard to this issue and this debate, this is the one which perhaps I feel most vehement opposition to.

I am an ardent opponent of the status quo in many respects. I oppose simply accepting our current situation as fact. We know that there are things we can do, that we must do. In an information age, we cannot be content to simply sit back and say, yes, this is the best we can do. We can't be content when we are not number one when it comes to math and science. We can't be content when we know that there are people who are not getting a good education because we have not made the right commitments.

I defy anyone to challenge those of us who believe there is a better way than the underlying bill that somehow we are defending the status quo, because that could not be further from the truth. As evidence of that, I guess I would suggest, No. 1, that you look at the array of amendments that we have offered that would have changed the status quo, beginning with, first and foremost, the single most consequential reduction in property tax that we have considered on the Senate floor, at least in my lifetime. As much as $10 billion in potential property tax relief could have been part of this legislation. In my state of South Dakota, we could have reduced property taxes by as much as $25 million. If we had passed the Moseley-Braun amendment, we could have relieved the burden on state and local taxes, including property taxes, by $10 billion. We didn't have the votes. The majority voted against reducing property taxes by $10 billion. I want to change the status quo. That would have done it. That would have done it, in addition to recognizing the fact that three out of four school districts in this country have at least one school that is in dire need of repair.

I spoke to people in a school district not long ago who shared with me the fact that, when the winds in South Dakota exceed 40 miles an hour, the school has to be evacuated. When the winds in South Dakota exceed 40 miles an hour, they have to go home. We had a chimney that fell through the third floor of one of our schools in Hartford, SD. I could go on and on.

The fact is, we have an incredible problem with regard to infrastructure. While we legitimately commit, as we must, to highways, to bridges, to airports, and to the array of infrastructure challenges we have—and I am a strong supporter of the effort to do that—we ought to be committing to infrastructure for the most important part of our population, our children. You want to change the status quo? We should have voted to support the Moseley-Braun amendment. You want to support change in the status quo? We should have supported the after-school program supported and offered by the distinguished Senator from California. You want to change the status quo? We should have recognized that we have to go out and find over 100,000 new teachers in the next 3 years. That is real change in the status quo.

Now our Republican colleagues have come back with proposals of their own to change the status quo. As the senior Senator from Massachusetts has just acknowledged, the real question now is, do we privatize public education? Because that is exactly what we will do if this bill passes and is signed into law. We would privatize public education.

So while we started out with a bill that promised to do very little, we have ended up with one that would do real damage. We've gone from doing almost nothing for public education to doing serious damage to the fundamental appreciation of the importance in democracy of education as we have known it for 200 years. We do damage. If this legislation was ever signed into law, we would do serious damage, because we would abolish the promise of universal education for the people of the United States as we have known it. This promise has been largely responsible for the democracy that we have enjoyed with all of its richness. We would abolish all remedial education for disadvantaged children. We would abolish safe and drug-free schools. We would abolish the opportunities for schools to come to the people of the United States asking for assistance to acquire new technology in their classroom. We would abolish Goals 2000, which would set some goals for the whole country to achieve as we recognize the importance of the information age. We would abolish teacher training in math and science. We would abolish magnet schools. We would abolish school-to-work. We would abolish the ability to use voluntary national achievement tests in order to empower parents to find out just how their students are doing. The abolition of all of those tools and more are incorporated in what we are about to pass tonight.

Mr. President, this is a lost opportunity. Yes. But far more than that, during the debate on this bill, we have gone from doing little to doing damage—damage to our public educational system, damage to the opportunities that children all over this country ought to have when they walk into a classroom. We would abolish the national role in public education.

So the question tonight that we must ask ourselves is, do we support the continued role of public education, recognizing, as we do, the need to move beyond the status quo and fundamentally and radically find ways in which to improve upon the tradition of public education in this country? Do we do that? Or do we privatize education? Do we privatize it and take away whatever role the people of the United States have when we consider our educational challenges in the years ahead? That is the question.

I hope our colleagues will vote a resounding no on final passage of this bill.

I yield the floor.

Mr. ROTH. Mr. President, I'm pleased that we are moving toward passage of this significant bill. The importance of giving American families the resources and means they need to educate their children must be above politics.

Before I get into the specific benefits of the bill, let me remind my colleagues that with the exception of several school construction bond provisions—which were newly added this

year—all of the concepts in this bill should be very familiar.

Mr. President, these concepts should be familiar because we have already endorsed them. The base provisions in the bill—which include the increase in the maximum allowable contribution to an education IRA, the use of the IRA for elementary and secondary school expenses for public and private schools, the tax-free treatment of state sponsored prepaid tuition plans, and the extension of tax-free treatment for employer provided educational assistance—all received bipartisan support from the Senate as part of the Taxpayer Relief Act of 1997.

Despite this Senate support, these provisions were dropped from the bill during conference negotiations. Because of opposition from the Administration, these particular elements failed to be included in the final version of the Taxpayer Relief Act of 1997.

Today we will show our commitment to these provisions—and to enact what this body has already determined makes good sense for American families.

Mr. President, it is important to note that this tax bill is not designed to answer all of the education-related issues that face this country. Those issues are too varied and complicated to be addressed by the federal government. They need to be solved at the state and local level—by schools, teachers, and parents working together.

Instead, this bill is designed to build on the innovative concepts that have been introduced in the last few years. Our goal is to improve the tax code so that it provides the necessary incentives to help American families help their children. These are much needed tools.

Over the past 15 years, tuition at a four year college has increased by 234%. The average student loan has increased by 367%. In contrast median household income rose only 82% during this period and the consumer price index rose only 74%.

Our students—our families—need these resources to help them meet the costs and realize the opportunities of a quality education. The Senate recognized the importance of these provisions less than one year ago, voting in favor of them. I hope that my colleagues continue to recognize just how important they remain. The American people are counting on us.

The various provisions of this bill are important measures that will aid our students and parents.

The first major change in this bill increases the maximum education IRA contribution from $500 to $2,000. That increase is important on two levels. First, with the well-documented increase in education costs, it is essential that we provide American families with the resources to meet those costs.

I have long argued that it is essential to change the savings habits of the American people, and there are few things more important than the education of their children. Not only will saving in this way increase our investment capital, it will increase American's education capital as well. Anything that thwarts either of these objectives is short-sighted.

By using the tax code to encourage individual responsibility for paying for educational expenses, we all benefit. The expansion of the education IRA will result in greater opportunities for individuals to save for their children's education.

Mr. President, the next major change that this bill makes to education IRAs is that it allows withdrawals for education expenses for elementary and secondary schools and for both private and public schools.

As we recognized last year, it is a fundamental principle that a parent should have the right and the ability to make decisions about his or her child's education—to decide basic questions such as how the child should be educated and where the child should attend school.

This bill recognizes that just like for secondary schools, we should not establish a priority system where some elementary and secondary schools are favored over others. We should not forget that it is the taxpayer who funds the education IRA—that it is the parent who puts his or her hard-earned money into the education IRA.

Mr. President, it seems a matter of common sense, therefore, that the parent should be able to choose how to spend that money.

Mr. President, another provision in this bill makes state-sponsored prepaid tuition plans tax-free, not simply tax-deferred. This is a significant distinction, because it allows students to withdraw the savings that accumulate in their pre-paid tuition accounts without paying any tax at all. It means that parents have the incentive to put money away today and their children have the full benefit of that money, without any tax, tomorrow.

As I have already mentioned, forty-four states have pre-paid tuition plans in effect, and the other six are in the process of implementing such plans This means that every member of the Senate has parents and students back home who either benefit from this plan right now, or will benefit from this plan soon.

Mr. President, the Coverdell bill also extends tax-free treatment of employer provided educational assistance for graduates and undergraduates through the year 2002.

This particular program is a time-tested and widely used benefit for working students. Over one million workers across America receive tax-free employer provided education. This allows them to stay on the cutting edge of their careers. It benefits not only them, individually, but their employers and the economy as a whole. With the constant innovations and advancing technology of our society, it is vitally important that we continue this program.

The various provisions that I have just described are all ones that members of this body approved last year. They made sense then. They certainly continue to make sense today.

Mr. President, the Coverdell bill does even more than address the costs of attending school. In response to concerns from Members on both sides of the aisle, the Finance Committee agreed on some measures to provide targeted relief in the area of school construction.

The first provision is directed at high growth school districts. It expands the tax-exempt bond rules for public/private partnerships set up for the construction, renovation, or restoration of public school facilities in these districts. In general, it allows states to issue tax-exempt bonds equal to $10 per state resident. Each state would be guaranteed a minimum allocation of at least $5 million of these tax-exempt bonds. In total, up to $600 million per year in new tax exempt bonds would be issued for these innovative school construction projects.

This provision is important because it retains state and local flexibility. It does not impose a new bureaucracy on the states and it does not force the federal government to micro-manage school construction.

Mr. President, there is a second bond provision in this bill. That provision is designed to simplify the issuance of bonds for school construction. Under current law, arbitrage profits earned on investments unrelated to the purpose of the borrowing must be rebated to the Federal government. However, there is an exception—generally referred to as the small issuer exception—which allows governments to issue up to $5 million of bonds without being subject to the arbitrage rebate requirement. We recently increased this limit to $10 million for governments that issue at least $5 million of public school bonds during the year.

The provision in the Coverdell bill increases the small issuer exception to $15 million, provided that at least $10 million of the bonds are issued to finance public schools.

Mr. President, it is clear that the Coverdell bill contains numerous important provisions for the American family. As I have said already, many of these measures are ones that the Senate passed last year.

Anyone—students or parents—who is on the front line dealing with the costs of a quality education, must have been disappointed last year when we failed to give them all the tools that they

needed. American families understand the need for these measures. They have now been waiting for a year. I am pleased today that we will, once again, address the needs of American families and students. I urge my colleagues to support the Coverdell bill.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I thank my colleagues on the other side of the aisle who made so many eloquent statements on behalf of the underlying bill. As is obvious, this has not been easy for them. They have been at odds with their Members in the caucus. We all understand that takes considerable courage. The Senator from Delaware, who explained the dilemma that he faced—and that I accept, but I appreciate his comity and the efforts to work through this long journey very much, even though he cannot vote with us at this point.

To my adversary, the other manager, it has been a very civil debate. We even ended up in agreement on the reading excellence amendment. I appreciate the comments that came.

I would particularly like to associate myself with the remarks of the distinguished Senator from West Virginia, a very moving statement. It reminded me of my father. That is another relationship. He began his career as a coal truck driver in the Midwest. But when the Senator from West Virginia described the schoolroom in which that excellent mind of his was educated, I wish everyone could have heard it. While we all want excellent facilities, it isn't necessarily the key component in education. His came from a two-room building with two buckets of water. My dad's was one room. It likewise had no heat nor facilities. But that is for another day. I would admonish everybody to read the speech, though.

Mr. President, the underlying bill is focused on children. In all these debates, sometimes it is buildings, it is tax policy, but at the end of the day what we are talking about is the desire of all of us to have the youth of our country be given a chance to fully participate in the greatest democracy in the history of the world.

At one point in the debate I indicated that an uneducated mind is not capable of enjoying the full benefits of American citizenship and an uneducated people cannot and will not remain free. A core stanchion of American liberty envisions a citizen who can think well and participate. When we deny them those opportunities, as the Senator from West Virginia indicated we have been doing in growing numbers, we are condemning these people to something less than full American citizenship. The first thing they are denied is economic liberty. And when they are denied economic liberty, which is the second stanchion of American freedom, they are pushed to the periphery of society and before long they are pushed into those components of society that are a risk to the safety of persons and property, another component of American liberty.

So at the center of maintaining our democracy is the duty for each generation to make sure that all of its youth are capable of participating in American citizenship.

It has been alleged that public education is being abandoned here. I would like to point out that of the economic underpinnings of this bill, over 90 percent of it supports public education, whether it is school construction, whether it is assistance through an education savings account to come to students that attend public schools, whether it is support of all of our public institutions in State prepaid tuition policy, whether it is aiding employers in continuing education for their employees. A very small component, albeit a meaningful component, of the funding of this bill deals with helping families whose children are in private schools. But it is simply wrong to characterize this as abandoning public education. Far from it. It is one of the most significant new energies behind public education we have seen in a long time here.

Just to reiterate—we talked about these children—there are about 53 million children in our elementary and secondary schools. The Joint Tax Committee has repeatedly said that 14 million American families will be beneficiaries of the savings account. That means nearly half of the entire population in elementary and secondary schools will receive some benefit. We also know that because of the work to help prepaid State tuition, a million university students will be helped. And we know 250,000 graduate students will benefit from these programs that we are talking about here today, that 1 million American employees will benefit from helping employers assist them in continuing education, and that at least 500 new schools in high-population areas and rural areas will be helped here.

This is a very large piece of legislation affecting literally millions of Americans across the country on the basic belief that an educated mind is an absolute essential requirement for full citizenship in this American democracy.

Mr. President, I know we have had our differences. I think this is the beginning of a long debate. It could be upwards to a decade. I am pleased that the minority leader has agreed that the status quo is unacceptable. If we have at least achieved that, it has been a major breakthrough.

In closing, I thank all of my colleagues on both sides of the aisle for an incredible amount of patience. The hour is near.

On behalf of the leader, for the information of all Senators, these next two votes will be the last votes of the evening. The Senate will convene tomorrow at 10 a.m. and debate the State Department reorganization conference report under the parameters of the consent agreement of March 31. However, no votes will occur during Friday's session of the Senate.

On Monday, the Senate will debate the NATO treaty beginning at 12 noon. It is the leader's hope that we will have vigorous debate and, hopefully, even have a few amendments offered on Monday.

I announce to my colleagues that the next vote will occur at 5:30 p.m. on Monday, April 27.

Mr. President, I ask for the yeas and nays on final passage of the education bill.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The PRESIDING OFFICER (Mr. ALLARD). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 102 Leg.]

YEAS—56

Abraham	Faircloth	Mack
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Graham	Nickles
Bond	Gramm	Roberts
Breaux	Grams	Roth
Brownback	Grassley	Santorum
Burns	Gregg	Sessions
Byrd	Hagel	Shelby
Campbell	Hatch	Smith (NH)
Coats	Helms	Smith (OR)
Cochran	Hutchinson	Snowe
Collins	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Kempthorne	Thompson
D'Amato	Kyl	Thurmond
DeWine	Lieberman	Torricelli
Domenici	Lott	Warner
Enzi	Lugar	

NAYS—43

Akaka	Feinstein	Levin
Baucus	Ford	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Harkin	Moynihan
Boxer	Hollings	Murray
Bryan	Inouye	Reed
Bumpers	Jeffords	Reid
Chafee	Johnson	Robb
Cleland	Kennedy	Rockefeller
Conrad	Kerrey	Sarbanes
Daschle	Kerry	Specter
Dodd	Kohl	Wellstone
Dorgan	Landrieu	Wyden
Durbin	Lautenberg	
Feingold	Leahy	

NOT VOTING—1

McCain

The bill (H.R. 2646), as amended, was passed.

Mr. COVERDELL. I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ACKNOWLEDGING THE HISTORIC NORTHERN IRELAND PEACE AGREEMENT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of Senate Concurrent Resolution No. 90.

The Senate continued with the consideration of the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN), the Senator from Utah (Mr. BENNETT), and the Senator from Kansas (Mr. BROWNBACK) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 103 Leg.]

YEAS—97

Abraham	Feinstein	Lugar
Akaka	Ford	Mack
Allard	Frist	McConnell
Ashcroft	Glenn	Mikulski
Baucus	Gorton	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Gramm	Murkowski
Bond	Grams	Murray
Boxer	Grassley	Nickles
Breaux	Gregg	Reed
Bryan	Hagel	Reid
Bumpers	Harkin	Robb
Burns	Hatch	Roberts
Byrd	Helms	Rockefeller
Campbell	Hollings	Roth
Chafee	Hutchinson	Santorum
Cleland	Hutchison	Sarbanes
Coats	Inhofe	Sessions
Cochran	Inouye	Shelby
Collins	Jeffords	Smith (NH)
Conrad	Johnson	Smith (OR)
Coverdell	Kempthorne	Snowe
Craig	Kennedy	Specter
D'Amato	Kerrey	Stevens
Daschle	Kerry	Thomas
DeWine	Kohl	Thompson
Dodd	Kyl	Thurmond
Domenici	Landrieu	Torricelli
Dorgan	Lautenberg	Warner
Durbin	Leahy	Wellstone
Enzi	Levin	Wyden
Faircloth	Lieberman	
Feingold	Lott	

NOT VOTING—3

Bennett	Brownback	McCain

The concurrent resolution (S. Con. Res. 90) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, is as follows:

S. CON. RES. 90

Whereas the people of Ireland have experienced civil conflict throughout their history with the latest phase, known as The Troubles, ongoing for the last thirty years;

Whereas this tragic history has cost the lives of thousands of men, women, and children, and has left a deep and profound legacy of suffering;

Whereas the governments of the Republic of Ireland and the United Kingdom have endeavored for many years to facilitate a peaceful resolution to the conflict in Northern Ireland; and such efforts, including the 1985 Anglo-Irish Agreement, the 1993 Joint Declaration, and the 1995 New Framework for Agreement, were important milestones in guiding the parties toward a political agreement;

Whereas the announced cessation of armed hostilities in 1994 by the Irish Republican Army and the Combined Loyalist Military Command created the opportunity for all-inclusive political discussions to occur;

Whereas representatives from Northern Ireland's political parties, pledging to adhere to the principles of non-violence, commenced all-party talks in June 1996, and those talks greatly intensified in the Spring of 1998 under the chairmanship of former United States Senator George Mitchell;

Whereas the active participation of British Prime Minister Tony Blair and Irish Taoiseach Bertie Ahern was indispensable to the success of negotiations;

Whereas the support and encouragement for the Northern Ireland peace process by President Clinton, on behalf of the United States, was also an important factor in the success of the negotiations;

Whereas on April 10, 1998, the political parties, together with the British and Irish Governments successfully concluded the Northern Ireland Peace Agreement;

Whereas people throughout the island will have an opportunity to approve or reject the final agreement during the May 22 referendums;

Whereas the British and Irish Governments have committed to making the necessary constitutional and other legal changes necessary to bring the agreement into effect after the referendum approval processes have been concluded: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), that it is the sense of the Congress that—

(1) All of the participants in the negotiation deserve congratulations for their willingness to make honorable compromises in order to reach an agreement that promises to end the tragic cycle of violence that has dominated Northern Ireland for decades;

(2) Prime Minister Tony Blair and Taoiseach Bertie Ahern deserve particular credit for their leadership and constant encouragement in support of the peace process;

(3) The American people can be especially proud of the contributions made by the United States in the quest for peace, including President Clinton's vision and determination to achieve peace in Northern Ireland and his personal commitment to remain an active supporter throughout the process;

(4) All friends of Ireland owe a lasting debt of gratitude to Senator George Mitchell for his dedication, courage, leadership, and wisdom in guiding the peace talks to a successful conclusion.

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business.

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

COMMEMORATING THE U.S. HOLOCAUST MEMORIAL MUSEUM

Mr. DASCHLE. Mr. President, today is a holy day, Yom Hashoah. It is a day set aside every year to remember the victims of the Holocaust.

I had the privilege of starting this Yom Hashoah morning with an extraordinary group of people, the Founders of the U.S. Holocaust Memorial Museum. Founders are men and women from across America who have given at least $1 million to the Holocaust Museum.

This week, as we mark the fifth anniversary of the opening of the museum, it seems an especially appropriate time to recognize the incredible gift the Founders, and all the museum's supporters, have given our nation.

We are indebted to them all—particularly to Miles Lerman, chairman of the museum council, and Ruth Mandel, the council's vice chair, and to my dear friend Abe Pollin, the chairman of this year's Founders Reunion.

One of the sages of the Torah told us more than 200 years ago that God could have created plants that would grow loaves of bread. Instead, he created wheat for us to grow and mill and transform into bread. Why? Because He wanted us to be able to take part in the miracle of creation.

That is what the Holocaust Museum Founders have done. They used stone and steel and sacred artifacts, rather than wheat. But they have unquestionably experienced the miracle of creation.

Simon Dubrow, the great Jewish historian, was one of the 6 million Jews murdered in the Holocaust. He was killed in the Latvian ghetto of Riga by a Gestapo officer who had once been his student. His dying words were "Schreibt und farschreibt." "Write and record." He believed to the end that truth and memory ultimately would triumph over the evil of the Holocaust.

Through the leadership and generosity of the Holocaust Museum Founders, his prediction has come true. Many in Congress remain in awe of the fact that the U.S. Holocaust Memorial Museum has raised $320 million since its inception. That's a part of the museum's story that isn't fully known or appreciated.

The Holocaust Museum has not only demonstrated that public/private partnerships can work—it has set the

standard for such partnerships. Much has changed since that bitter cold, rainy day 5 years ago when the Holocaust Museum was dedicated.

Before the museum opened, I understand that the most optimistic estimates were that 700,000 people a year would walk through its doors. That first year, and every year since, I am now told, 2 million visitors have come to the museum—5,000 people every day. Before the museum opened, I well remember that there were some who questioned whether it should be built on the National Mall, since the Holocaust did not take place in our country.

Today, the Holocaust Memorial Museum is a fundamental part of this city. Not only does it belong on the Mall, but it gives a deeper meaning to the other great memorials there. Ask anyone who has been through the museum and they will tell you. The Washington Monument and the Lincoln Memorial have never looked so beautiful—and freedom and democracy have never seemed as precious—as they do when you emerge from the darkness of that extraordinary building.

Elie Weisel has said, "Survivors are understood by survivors only. They speak in code. All outsiders could do was come close to the gates." That is what the Holocaust Memorial Museum allows us to do: to come close to the gates; to see; to grieve; and, finally, to learn, so that we can pass the knowledge on from, generation to generation, about what can happen when intolerance and hatred are allowed to spread unchecked.

Elie Weisel is right. We cannot walk on the shoes of the victims, or the survivors. But we can see their shoes—that heartbreaking room full of dress shoes and work boots and baby shoes. And it is one of the many paradoxes of the museum, that in looking at something as simple as those shoes, we can begin to feel the profound tragedy of that terrible time.

Anyone who has been there knows, the Holocaust Museum is not an easy place to visit. The images in it are not images of beauty, but of incomprehensible evil. People always spend longer in the museum than they expect. And they leave shattered. But they also leave changed. It is one of the few museums in the world that has the capacity to change people fundamentally.

It teaches many lessons. One of the most profound lessons is about the horrors that can be unleashed when we deny the basic humanity of even one person. Another is what can happen to democracy when we are not vigilant in its protection.

The museum also teaches us about the necessity of leadership dedicated to preventing intolerance, hatred and oppression. For members of Congress, that is an especially important lesson. And the presence of the museum on the mall is a constant reminder of it.

Perhaps the most dramatic example of its influence on Congress was 2 years ago, when we debated how the United States should respond to the horrors in Bosnia. There were times during that debate when it was as if the victims of the Holocaust were looking down from the Senate galleries, reminding us of the moral imperative: Never again. I doubt we would have felt their presence so strongly, had it not been for the museum.

But evil is not always as obvious as it was in Bosnia, or Rwanda, or Pol Pot's Cambodia. The Holocaust Museum reminds us that the early warning signs are more subtle—and, often, closer to home. That lesson is particularly important for people who are entrusted to write the laws that guide this great nation.

When you walk down that first long, dark corridor, and see the step-by-step dismantling of German democracy, you understand in a deeper way why we must never again allow books to be burned, or laws to be written that permit discrimination and expropriation.

The last time I visited the museum I stopped on the way out to read what people had written in the "comments" book. None of the comments was very long. The museum has a way of leaving many people without words for a while.

Among the short messages, there were two that especially stood out. Both were written in what appeared to be the handwriting of teenage girls. One said, "The museum taught me the meaning of democracy." The other said simply, "I will remember this for the rest of my life." What an extraordinary gift the Founders have given those young women, and everyone else who has visited these first 5 years!

I understand the museum is now taking advantage of the Internet and other new technologies so that people in my home state of South Dakota, and all over the world, can "visit," even if they can't come to Washington. I've been told the website gets 100,000 hits a day! That's most impressive.

By reaching out in this way, the museum is not only fulfilling our moral responsibility to "write and record" the story of the Holocaust and its victims. It is also creating a stronger America. And, in the process, it is redefining what museums, and public-private partnerships can be, and what they can accomplish.

The poem that is written on the wall behind the shoes declares, "We are the shoes. We are the last witnesses." In the 5 years since the museum opened, 10 million new witnesses have been created—one for every person who perished in the Holocaust. Five years from now, there will be 10 million more. And, like the young woman who signed the book, each of them will be remembered for the rest of their lives.

The Founders, and all the supporters of the Holocaust Museum, have indeed taken part in the creation of something very, very rare. Today, on this holy day of Yom Hashoah, as we remember the victims of the Holocaust, the Congress and the people of the United States thank them.

90TH ANNIVERSARY OF THE ARMY RESERVE OF THE UNITED STATES

Mr. THURMOND. Mr. President, for the past week, the United States Army Reserve has had a number of events to help celebrate the 90th anniversary of their founding. Appropriately, the United States Senate, led by Senator Helms who was joined by 28 of our colleagues, passed a resolution last night commending the Army Reserve and its citizen-soldiers on an impressive heritage and on the invaluable contributions they have made to keeping the United States free and safe.

As a former Army Reservist, I was naturally interested in reading this resolution and I am certain you can imagine my surprise when I discovered that it was also a tribute to me and the service I rendered the United States as a Soldier. I was, and am, humbled and flattered by this very touching gesture, you have touched the heart of this old "trooper", and I thank each of you for your kind act.

I join each of you in commending all those who have served in the Army Reserve throughout its 90-year history, particularly those men and women who serve today. In this era of skrinking force structure and defense budgets, we will increasingly rely on our reserve forces to meet the security and foreign policy goals of the United States. We should be grateful that there is no shortage of patriotic Americans willing to endure the hardships and demands of reserve service, we are all better off their efforts. I am certain that I speak for the entire Body when I say that we appreciate and value the work and contributions of the Soldiers of the Army Reserve and stand ready to assist them however we can.

IN HONOR OF FORMER SENATOR TERRY SANFORD

Mr. HOLLINGS. Mr. President, today, as it has for the past three days, the South mourns the passing of one of its greatest leaders. Terry Sanford, former Governor of and United States Senator from North Carolina, passed away on Saturday, April 18, 1998.

From 1961 to 1965, Governor Sanford forged a remarkable record as one of America's most progressive governors. His great passions were education, civil rights, and social justice. Perhaps his bravest act as Governor, and the one that posed the greatest political risk, was to encourage the people of North Carolina to accept the winds of change that swept the South during the 1960s.

In a 1963 speech, for example, he implored the people of North Carolina to

end job discrimination against blacks and announced the creation of a biracial panel, the North Carolina Good Neighbor Council, to work toward that end. He also appointed many black North Carolinians to important positions in his administration and publicly supported school integration.

The other hallmark of Governor Sanford's administration was his commitment to education. He pushed state lawmakers to provide more money to schools and laid the foundation that has helped make the North Carolina higher education system one of the best in the world. As a true intellectual and lover of the humanities, Terry Sanford understood the importance of ideas for their own sake. But he also was a practical man, and he realized that a well-educated populace is crucial to attracting new corporations and creating good jobs. Thanks to his vision, North Carolina now is home to one of the best-educated populations in the nation, and it is a leader in creating high-paying, high-tech jobs.

From 1969 to 1985, Senator Sanford was President of Duke University. He was one of that institution's most vigorous and successful presidents, inspiring loyalty and love among faculty and students and helping the University increase its endowment and improve its resources. As President of Duke, Terry Sanford did great things for not just the students, but all the people of North Carolina. Under his hand, Duke joined North Carolina State and the University of North Carolina as part of the vaunted Research Triangle, which has generated high-tech jobs for North Carolina and helped the state secure a reputation as one of the best locations in the country for companies and their workers. President Sanford dedicated himself completely to Duke; he was driven to serve the school by the same passion for education and material and intellectual progress which had guided his governorship.

Discontent with the direction in which our nation was headed and the seemingly intractable problems that had beset the political process drove Senator Sanford to offer himself for the Democratic nomination for President in 1972 and 1976. Although both his candidacies were unsuccessful, Terry ran with conviction and courage. Above all, he ran to oppose those who offered no alternative to confusion other than darkness, who would have replaced idealism with cynicism, and who practiced the politics of division rather than unity.

Terry Sanford achieved national office in 1986, when the people of North Carolina elected him to the United States Senate. During his term, Senator Sanford was one of the ablest and most conscientious legislators this body has ever seen. He maintained his well-deserved reputation for decency, integrity, and intelligence; continued to show great interest in education and social policies; and never flagged in his commitment to the public good.

After being narrowly defeated for reelection in 1992, Senator Sanford returned to Duke University, where he taught courses on public policy and government. As an outstanding educator, he continued to enrich his students' lives and devote himself to the dissemination of knowledge.

Mr. President, Terry Sanford's death is a loss for North Carolina, this nation, and this Senate. He embodied the best of public service and education. His tremendous accomplishments were recognized and appreciated for over 30 years by the people of North Carolina. Increasingly, they have been recognized throughout the nation as well. In 1981, for example, a Harvard University study named Terry Sanford one of the ten best governors in the nation in this century. This was high praise, but Terry surely deserved it.

With his passing, our nation has lost one of its most tireless public servants. We in the Senate have lost a cherished colleague and loyal friend. Fortunately for us all, Terry Sanford's legacy will live on in the educational institutions of North Carolina to which he gave so much and in the example he set for those of us who aspire to public service.

Mr. President, of everything that has been said and written about our dear friend Terry Sanford, no one has said it better than Governor Jim Hunt of North Carolina, in the eulogy he delivered at Senator Sanford's funeral. At this time, Mr. President, I ask unanimous consent that Governor Hunt's eulogy be printed in the RECORD.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

EULOGY BY GOV. JIM HUNT AT THE MEMORIAL SERVICES FOR TERRY SANFORD, APRIL 22, 1998

In the words of a great Methodist hymn: "Oh, for a thousand tongues to sing our Great Redeemer's praise."

Indeed, our thousand tongues are here today to praise our Redeemer and one of His most magnificent gifts to the people of our state and our nation.

I know that I speak for many of you when I say very simply: Terry Sanford was my hero.

I'm sure that Terry Sanford has already had his orientation with the Lord. And it is not a one way conversation. And I suspect that by now he has almost certainly given the Lord a few good ideas for improving Heaven.

At a time when we struggle about whether government should act, let us remember the words of an uncommon man who could think great thoughts and make them a reality. In one of his books, Terry wrote:

"Indeed, if government is not for the express purpose of lifting the level of civilization by broadening the opportunities in life for its people, what is its purpose?"

And he added:

"Government is not something passive, not our kind of government. It has built into it the spirit of outreach, the concern for every individual. Look at the verbs in the Constitution's Preamble—establish, insure, provide, promote, secure. All these connote action, and all suggest that we must constantly be striving to improve the opportunities of our people."

And act he did. Strive to improve opportunities for our people he did.

Imagine what North Carolina would be like if we had not had Terry Sanford striving for us these many years.

Imagine what North Carolina would have been like in the 1960s if we had not had a Governor who believed in bringing people of all races together. If we'd had a Governor like other states' who appealed to the worst rather than the best in us. Imagine no Terry Sanford.

Imagine what North Carolina would be like without the Research Triangle Park. Imagine no Terry Sanford.

Imagine what North Carolina would be like without the community college system or the School of the Arts. Imagine no Terry Sanford.

Imagine what North Carolina would be like had he not set national excellence as the goal for this great university—and for that other one just up the road. Imagine no Terry Sanford.

Imagine what North Carolina's schools would be like if a great Governor hadn't had the courage to pass a tax for school improvements—an act of courage that cost his own political ambitions dearly. Imagine no Terry Sanford.

It is truly unimaginable. You cannot imagine North Carolina without Terry Sanford.

Forty years ago, no one could have imagined what North Carolina would become.

No one, that is, but Terry Sanford.

He once wrote:

"The governor, by his very office, embodies his state. He stands alone at his inauguration as the spokesman for all the people. His presence at the peak of the system is unique, for he must represent the slum and the suburb, his concerns must span rural poverty and urban blight. The responsibility for initiative in statewide programs falls upon the governor. He must energize his administration, search out the experts, formulate the programs, mobilize and support and carry new ideas into action."

Terry, you set the goals and our sights very high. So high that we often wonder if we can meet your standard. But your good works, your words and your spirit tell us every day, in every way, that the goal can be ours. That the struggle is worth it.

When we leave today, we will leave the body of our hero in this chapel. We leave it here because no other structure is sufficiently magnificent to serve as the final resting place for a life as magnificent as his.

But while we leave his body here to rest, the evidence of his good works is and will be everywhere around us—in the institutions he led, in the innovations he championed, in the individuals he touched and, most of all, in the spirit of everyone here today and everyone in this state. And so it will be for every generation yet to come.

For all that North Carolina has become and will be, Terry, we thank you.

God bless this place. God bless this family. And thank God for the magnificent blessing of giving North Carolina Terry Sandord.

90TH ANNIVERSARY OF THE UNITED STATES ARMY RESERVE

Mr. SESSIONS. Mr. President, I rise this evening to congratulate the

United States Army Reserve on its 90th anniversary and to recognize the contributions of my good friend STROM THURMOND who served in the Reserves for 36 years.

Many of you know Senator THURMOND's distinguished record in war and in peace and the contributions he has made to this institution. He, like the thousands of soldiers in the Army Reserves today, is an example of the best in America.

Some years ago, I was a Judge Advocate General (JAG) officer in the United States Army Reserve. I served for thirteen years in one of our 82 Alabama Reserve units and organizations, located in one of 19 cities and in 24 Reserve Centers spread across Alabama. Today, Alabama is home to approximately 7000 Army Reservists representing nearly 3½% of the total Army Reserve Force. I am particularly proud of the fact that we have the 81st Regional Support Command and the 87th Division (Exercise) headquartered in Birmingham, a unit which commands and controls soldiers in a number of surrounding southern states.

Like any major element of the Armed Forces, America's Army Reserve has a great history. Let me share just a small portion of that history: Created by statute on April 23, 1908, first of the Federal reserve forces created by Congress, a trained and ready force of citizen soldiers bringing relevant skills into the military, an integral part of today's global power projection strategy, a force which deploy's 20,000 reservists to 50 countries annually, a force which has mobilized and deployed 70% of the reserve forces to Bosnia for Operation Joint Guard, a force which contributed over 90,000 soldiers to Operation Desert Storm, one of which was my Chief of Staff, Armand DeKeyser, and a force which is found in all 50 states, U.S. territories, in Europe and in the Pacific region.

Mr. President, we have much to be proud of in America tonight. We can add to that list the United States Army Reserve whose birthday we quietly celebrate. Happy Birthday to the men and women of the Army Reserves. Men and women who quietly man the ramparts of freedom. You are always there when America needs you. For this act of selfless devotion, we as a nation ought to be truly grateful.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, April 22, 1998, the federal debt stood at $5,521,690,068,621.47 (Five trillion, five hundred twenty-one billion, six hundred ninety million, sixty-eight thousand, six hundred twenty-one dollars and forty-seven cents).

One year ago, April 22, 1997, the federal debt stood at $5,340,281,000,000 (Five trillion, three hundred forty billion, two hundred eighty-one million).

Five years ago, April 22, 1993, the federal debt stood at $4,228,121,000,000 (Four trillion, two hundred twenty-eight billion, one hundred twenty-one million).

Ten years ago, April 22, 1988, the federal debt stood at $2,499,356,000,000 (Two trillion, four hundred ninety-nine billion, three hundred fifty-six million).

Fifteen years ago, April 22, 1983, the federal debt stood at $1,244,297,000,000 (One trillion, two hundred forty-four billion, two hundred ninety-seven million) which reflects a debt increase of more than $4 trillion—$4,277,393,068,621.47 (Four trillion, two hundred seventy-seven billion, three hundred ninety-three million, sixty-eight thousand, six hundred twenty-one dollars and forty-seven cents) during the past 15 years.

CHIEF HAROLD BRUNELLE OF THE HYANNIS FIRE DEPARTMENT

Mr. KENNEDY. Mr. President, the Hyannis Fire Department recently honored Harold S. Brunelle of Hyannis by appointing him as Fire Chief. This honor is a well-deserved tribute to Chief Brunelle, his 26-year career with the Department, and his commitment to the community of Hyannis.

Chief Brunelle was chosen after nation-wide competition for the position of Fire Chief, and he was selected unanimously for the position in a field of 34 applicants.

Chief Brunelle joined the Hyannis Department in 1972 as a Junior Firefighter and rose through the ranks because of his great ability and dedication. His selection as Fire Chief demonstrates the town's confidence in Mr. Brunelle and their faith in his able service and leadership to the residents of the community.

Hyannis and Massachusetts are proud of Harold Brunelle's appointment as Fire Chief. I congratulate him on this distinction, and I look forward to working closely with him in the years ahead.

TRIBUTE TO BONNIE SUE COOPER

Mr. ASHCROFT. Mr. President, I rise today to recognize a tremendous individual who exemplifies citizenship, character, and service to humanity, Missouri State Representative Bonnie Sue Cooper.

On December 5, 1997, Missouri State Representative Bonnie Sue Cooper finished her tenure as the National Chairwoman of the American Legislative Exchange Council (ALEC). Representative Cooper accomplished a great deal during her tenure as Chairwoman of ALEC. She succeeded in strengthening ALEC's policy-making operations. She also heightened ALEC's profile among both legislators and the private sector. ALEC thanked Representative Cooper for her hard work by choosing her as the 1997 recipient of the Thomas Jefferson Freedom Award. The gratitude bestowed on Representative Cooper for her excellent service and commitment to principle is reflected in the award. Previous recipients of this prestigious award include former President Ronald Reagan.

While Representative Cooper's tenure as Chairwoman of ALEC has ended, her legacy to this important organization of State Legislators lives on. It is an honor to commend Representative Cooper for her service to the American Legislative Exchange Council.

CHILDREN'S MENTAL HEALTH WEEK

Mr. ASHCROFT. Mr. President, I rise today to recognize Children's Mental Health Week which will be held the week of May 4–10. "Putting Our Voices Together For Children" is the theme of 1998's Children's Mental Health Week. The Missouri Department of Mental Health and the Missouri Statewide Parent Advisory Network will serve as co-sponsors of the week; these organizations were instrumental in the establishment of the first ever Children's Mental Health Week in 1992.

Children throughout the United States have been diagnosed with emotional and behavioral disorders. And yet, some estimate that only one third of the children are able to receive proper treatment and care. The reason for Children's Mental Health Week is to provide our communities with additional information and understanding of these disorders. The week serves to help spread valuable information that will ultimately aid our children and our future.

During Children's Mental Health Week, green ribbons will be circulated throughout cities to spread the message of support for our children. Numerous events will be hosted to honor Children's Mental Health Week, as well as a two day conference for the spread of further information on children with mental health problems. The week will conclude with an awards ceremony to thank those who make a difference in working for children with emotional and behavioral disorders.

I would like to thank all the diligent workers who have dedicated their time and energy to help the children who suffer from mental disorders. My best wishes of support and gratitude are extended to the organizers of Children's Mental Health Week.

THANKING AILEEN ADAMS FOR HER SERVICE AS DIRECTOR OF THE DEPARTMENT OF JUSTICE OFFICE FOR VICTIMS OF CRIME

Mr. LEAHY. Mr. President, this year we have had to say farewell to Aileen Adams as she leaves the post of Director of Department of Justice Office for

Victims of Crime (OVC) and returns to California. Three years ago, Aileen was appointed by the President and confirmed by the Senate. During her time in Washington, I worked with Aileen and OVC on a number of matters and came to know Aileen as a dedicated advocate for crime victims. Her vision and dedication have been extraordinary. Aileen will be sincerely missed, although her legacy will benefit victims of crime for years to come.

Before coming to the Department of Justice, Aileen had served as the legal counsel for the Rape Treatment Center at Santa Monica Hospital for 10 years. In that position, Aileen demonstrated her leadership and innovation with the creation of Stuart House, an interagency center for sexually-abused children.

As Director of OVC, Aileen focused on assisting local and state crime victim programs around the country and improving crime victims services in the federal system. Aileen's leadership has helped over two million crime victims across the country and around the globe. In just this past year, OVC has administered over $528 million and supported more than 2,500 victim assistance programs.

Aileen's dedication has impacted rural areas such as Vermont. She has helped sharpen the focus on rural crime and domestic violence and supported a rural crime initiative which will study and enhance services available to rural crime victims.

Among the victim assistance programs pioneered by Aileen was the establishment of the National Victim Assistance Academy last year. This Academy provides training on victims' rights and services and draws upon expertise of professionals ranging from law enforcement officers to rape crises counselors. Over 200 victim advocates and professionals have graduated from the Academy and have taken their skills back to their communities, where they continue outreach work for the benefit of victims.

Under her leadership, a group of international experts joined to draft a manual to implement the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power. Among other things, this manual is a step toward ensuring that crime victims are treated fairly and that they are assisted throughout the globe.

I had the opportunity to work with Aileen and the many dedicated members of her staff on a number of matters over the last few years. In the aftermath of the bombing of the Murrah Federal Building in Oklahoma City, Aileen and OVC were among those immediately on the scene to provide assistance to the victims. Together we have found ways to extend and expand that victims assistance over time and to enact legislation to allow victims and their families greater opportunity to attend and observe the trials of those charged in connection with that horrendous crime.

We worked together on the Victims of Terrorism Act that I added to the bill passed by the Senate in June 1995, in the wake of the Oklahoma City bombing, to improve our law recognizing the rights and needs of victims of crime. We also worked on the Justice for Victims of Terrorism Act that was enacted in April 1996. We were able to make funds available through supplemental grants to the States to assist and compensate victims of terrorism and mass violence, which incidents might otherwise have overwhelmed the resources of Oklahoma's crime victims compensation program or its victims assistance services. We also filled a gap in our law for residents of the United States who are victims of terrorism and mass violence that occur outside the borders of the United States.

In addition, we allowed greater flexibility to our State and local victims' assistance programs and some greater certainty so that they can know that our commitment to victims programming will not wax and wane with events. Accordingly, we enacted an important provision to increase the base amounts for States' victims assistance grants to $500,000 and allowed victims assistance grants to be made for a 3-year cycle of programming, rather than the year of award plus one, which was the limit contained in previous law. We were able to raise the assessments on those convicted of federal crimes in order to fund the needs of crime victims.

We worked to improve the church burning legislation and to increase the stability to victim assistance and victim compensation program funds.

Aileen was helpful in consulting with me and other Senators on the Judiciary Committee on the victims provisions of S. 15, a youth crime bill, so that the rights of victims of juvenile crime to appear, to be heard and to be informed would be protected. Those provisions have now been incorporated in the juvenile crime bill ordered reported by the Judiciary Committee.

In addition, Senator KENNEDY and I incorporated a number of her suggestions in S. 1081, the "Crime Victims Assistance Act." That bill would reform the Federal Rules and Federal law to establish additional rights and protections for victims of federal crime. In particular, the legislation would provide crime victims with an enhanced right to be heard on the issue of pretrial detention, on plea bargains, at sentencing, on probation revocation, and to be notified of a defendant's escape or release from prison. The legislation goes further than other victims rights proposals that are currently before Congress by including enhanced penalties for witness intimidation, an increase in Federal victim assistance personnel, enhanced training for State and local law enforcement and officers of the Court, development of state of the art systems for notifying victims of important dates and developments in their cases, and the establishment of ombudsman programs for crime victims.

I know that crime victim advocates in Vermont join me in thanking Aileen for her service. I was delighted that Aileen could come to Vermont to keynote the restorative justice conference in Vermont last June. Our Vermont advocates are well aware of the extraordinary efforts at OVC and have worked with OVC to create greater opportunities for rural programs. With support from OVC, Vermont has been able to implement its victims programs for outreach to underserved populations and coordinate among providers and allied professionals.

I was especially proud when the recent site visit to Vermont resulted in the Justice Department concluding that "Vermont's programs are setting the standard for outreach to under served populations and service coordination among providers and allied professionals."

Aileen Adams has dedicated her service to the needs of crime victims. She has made a difference. She has improved federal programs for victims of domestic violence, victims of terrorism, and crime victim assistance generally. She has helped create a strong funding source for crime victim compensation and assistance programs. She has worked to expand crime victims rights. Most importantly, she has made a difference in the lives of crime victims all across the country.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on April 6, 1998, during the adjournment of the Senate, received a message from the House of Representatives announcing that House disagrees to the amendment of

the Senate to the bill (H.R. 2400) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the managers of the conference on the part of the House:

For consideration of the House bill (except title XI) and the Senate amendment (except title VI), and modifications committed to conference: Mr. SHUSTER, Mr. YOUNG of Alaska, Mr. PETRI, Mr. BOEHLERT, Mr. KIM, Mr. HORN, Mrs. FOWLER, Mr. BAKER, Mr. NEY, Mr. METCALF, Mr. OBERSTAR, Mr. RAHALL, Mr. BORSKI, Mr. LIPINSKI, Mr. WISE, Mr. CLYBURN, Mr. FILNER, and Mr. MCGOVERN.

MESSAGES FROM THE HOUSE

At 4:06 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3164. An act to describe the hydrographic services functions of the Administrator of the National Oceanic and Atmospheric Administration, and for other purposes.

The message also announced that pursuant to the provisions of section 801(b) of Public Law 100-696, and the order of the House of Wednesday, April 1, 1998, the Chair announces the Speaker's appointment of the following Member of the House to the United States Capitol Preservation Commission: Mr. DAVIS of Virginia.

The message further announced that pursuant to the provisions of section 801(b)(6) and (8) of Public Law 100-696, the Minority Leader appoints the following Member of the House to the United States Capitol Preservation Commission: Mr. SERRANO of New York.

The message also announced that pursuant to section 801 of Public Law 100-696 (40 U.S.C. 188a), the Chairman of the Committee on House Oversight appoints the Honorable JOHN L. MICA of Florida to serve on the United States Capitol Preservation Commission in the position reserved from the Chairman of the Joint Committee on the Library.

The message further announced that pursuant to the provisions of section 704(b)(1) of Public Law 105-78, the Minority Leader appoints the following individual to the National Health Museum Commission: Dr. H. Richard Nesson of Brookline, Massachusetts.

At 5:38 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker appoints the following Members as additional conferees in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2400) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; and appoints as additional conferees from the Committee on Commerce, for consideration of provisions in the House bill and Senate amendment relating to the Congestion Mitigation and Air Quality Improvement Program; and sections 124, 125, 303, and 502 of the House bill; and sections 1407, 1601, 1602, 2103, 3106, 3301-3302, 4101-4104, and 5004 of the Senate amendment and modifications committed to conference: Mr. BLILEY, Mr. BILIRAKIS, and Mr. DINGELL: *Provided*, that Mr. TAUZIN is appointed in lieu of Mr. BILIRAKIS for consideration of sections 1407, 2103, and 3106 of the Senate amendment.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 3164. An act to describe the hydrographic services functions of the Administrator of the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-4654. A communication from the Acting Assistant Secretary of Labor for Employment and Training, transmitting, pursuant to law, the report of a rule entitled "Unemployment Insurance Program Letter No. 07-98" received on April 20, 1998; to the Committee on Labor and Human Resources.

EC-4655. A communication from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices" received on April 21, 1998; to the Committee on Labor and Human Resources.

EC-4656. A communication from the Acting Director of Communications and Legislative Affairs, U.S. Equal Employment Opportunity Commission, transmitting, pursuant to law, a rule entitled "Indicators of Equal Employment Opportunity—Status and Trends"; to the Committee on Labor and Human Resources.

EC-4657. A communication from the President of the United States, transmitting, pursuant to law, a report on the activities of U.S. Government departments and agencies relating to the prevention of nuclear proliferation for calendar year 1997; to the Committee on Foreign Relations.

EC-4658. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC-4659. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report relative to economic and political transformations of countries of Central and Eastern Europe after the collapse of the Communist system for fiscal year 1997; to the Committee on Foreign Relations.

EC-4660. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule received on April 15, 1998; to the Committee on Finance.

EC-4661. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Ruling 98:23 received on April 21, 1998; to the Committee on Finance.

EC-4662. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Notice 98:23 received on April 15, 1998; to the Committee on Finance.

EC-4663 A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "The Medicaid Quality of Care Medical Records Study"; to the Committee on Finance.

EC-4664. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program" (RIN0938-AI60) received on April 15, 1998; to the Committee on Finance.

EC-4665. A communication from the Secretary of Labor, transmitting, a draft of proposed legislation entitled "The Unemployment Compensation Amendments of 1998"; to the Committee on Finance.

EC-4666. A communication from the Acting Assistant Secretary of Defense (Health Affairs), transmitting, pursuant to law, a report relative to the maintenance medication dispensing policy; to the Committee on Armed Services.

EC-4667. A communication from the Acting Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a notice relative to the report on Reserve retirement initiatives; to the Committee on Armed Services.

EC-4668. A communication from the Acting Deputy Under Secretary of Defense (Logistics), transmitting, pursuant to law, a report relative to the Defense Logistics Agency; to the Committee on Armed Services.

EC-4669. A communication from the Secretary of Defense, transmitting, pursuant to law, the annual report on the Third Party Collection Program for fiscal year 1997; to the Committee on Armed Services.

EC-4670. A communication from the Director of the Office of Small and Disadvantaged Business Utilization, Office of the Under Secretary of Defense, transmitting, pursuant to law, a report relative to Department of Defense contracts and subcontracts; to the Committee on Armed Services.

EC-4671. A communication from the Acting Comptroller General of the United States, transmitting, pursuant to law, the report of a special impoundment message for fiscal year 1998; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Finance, and to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1360. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify and improve the requirements for the development of an automated entry-exit control system, to enhance land border control and enforcement, and for other purposes.

S. 1504. A bill to adjust the immigration status of certain Haitian nationals who were provided refuge in the United States.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary:

Wilma A. Lewis, of the District of Columbia, to be United States Attorney for the District of Columbia for the term of four years.

James K. Robinson, Michigan, to be an Assistant Attorney General resigned.

(The above nominations were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. COCHRAN:

S. 1971. A bill to amend the American Folklife Preservation Act to permanently authorize the American Folklife Center of the Library of Congress; to the Committee on Rules and Administration.

S. 1972. A bill to reform the laws relating to Postal Service finances, and for other purposes; to the Committee on Governmental Affairs.

By Mr. BUMPERS (for himself, Mr. CHAFEE, Mr. HOLLINGS, Mrs. BOXER, Mr. TORRICELLI, and Mr. WELLSTONE):

S. 1973. A bill to amend section 2511 of title 18, United States Code, to revise the consent exception to the prohibiton on the interception of oral, wire, or electronic communications; to the Committee on the Judiciary.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1974. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any Alaska Permanent Fund dividend received by a child under age 14; to the Committee on Finance.

By Mr. COVERDELL:

S. 1975. A bill to broaden eligibility for emergency loans under the Consolidated Farm and Rural Development Act; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DEWINE (for himself and Mr. LEAHY):

S. 1976. A bill to increase public awareness of the plight of victims of crime with developmental disabilities, to collect data to measure the magnitude of the problem, and to develop strategies to address the safety and justice needs of victims of crime with developmental disabilities; to the Committee on the Judiciary.

By Mr. D'AMATO (for himself and Mr. REID):

S. 1977. A bill to direct the Secretary of Transportation to conduct a study and issue a report on predatory and discriminatory practices of airlines which restrict consumer access to unbiased air transportation passenger service and fare information; to the Committee on Commerce, Science, and Transportation.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 1978. A bill to designate the auditorium located within the Sandia Technology Transfer Center in Albuquerque, New Mexico, as the "Steve Schiff Auditorium"; to the Committee on Energy and Natural Resources.

By Mr. CAMPBELL (for himself and Mr. FAIRCLOTH):

S. 1979. A bill to ensure the transparency of International Monetary Fund operations; to the Committee on Foreign Relations.

By Mr. BREAUX:

S. 1980. A bill to amend the Internal Revenue Code of 1986 to allow certain coins to be acquired by individual retirement accounts and other individually directed pension plan accounts; to the Committee on Finance.

By Mr. HUTCHINSON (for himself, Mr. LOTT, Mr. NICKLES, Mr. COVERDELL, Mr. MACK, Mr. FRIST, Mr. ENZI, Mr. BOND, Mr. SESSIONS, Mr. ROBERTS, Mr. ALLARD, Mr. HAGEL, and Mr. HELMS):

S. 1981. A bill to preserve the balance of rights between employers, employees, and labor organizations which is fundamental to our system of collective bargaining while preserving the rights of workers to organize, or otherwise engage in concerted activities protected under the National Labor Relations Act; read the first time.

By Mr. WARNER (for himself, Mr. LAUTENBERG, Mr. GREGG, Mr. KERRY, Mr. JEFFORDS, Mr. DORGAN, Mr. BENNETT, Mr. HOLLINGS, Mr. DEWINE, Mr. MURKOWSKI, Mr. REED, Mr. HELMS, Mr. TORRICELLI, Mr. DURBIN, Mr. GRAMM, Mr. KENNEDY, Mr. CONRAD, Mr. SESSIONS, Mr. KEMPTHORNE, Mr. ROBB, Mr. THURMOND, Mr. FORD, Ms. MOSELEY-BRAUN, Mr. ABRAHAM, Ms. LANDRIEU, Mr. INOUYE, Mr. SARBANES, Mr. DODD, and Mr. MCCAIN):

S. J. Res. 45. A joint resolution designating March 1, 1999 as "United States Navy Asiatic Fleet Memorial Day", and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. HUTCHISON:

S. Res. 215. A resolution directing the Secretary of the Senate to request the House of Representatives to return the official papers on S. 414, and make a technical correction in the Act as passed by the Senate; considered and agreed to.

By Mr. DODD (for himself, Mr. KENNEDY, Mr. MOYNIHAN, Mr. DASCHLE, Mr. LEAHY, Mr. LAUTENBERG, Mr. KERRY, Mr. MACK, Mr. D'AMATO, Mr. REED, Mr. KERREY, and Mr. WELLSTONE):

S. Con. Res. 90. A concurrent resolution to acknowledge the Historic Northern Ireland Peace Agreement; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COCHRAN:

S. 1971. A bill to amend the American Folklife Preservation Act to permanently authorize the American Folklife Center of the Library of Congress; to the Committee on Rules and Administration.

THE AMERICAN FOLKLIFE CENTER CREATION ACT OF 1998

Mr. COCHRAN. Mr. President, a little more than 20 years ago, Congress enacted legislation which created the American Folklife Center at the Library of Congress. The legislation enjoyed broad bipartisan and bicameral support. The legislation I am introducing today will provide permanent authorization for the Center so that the Center may continue its work to preserve and share the collections of traditions which exemplify the diverse heritage of millions of ordinary Americans.

The collections of the American Folklife Center contain rich and varied materials from my State of Mississippi and every State in the Nation. These materials document the diversity of the folk traditions of the many people who make up our Nation. The Folklife Center serves as a National repository of traditional culture and is used by scholars from around the world as well as schoolchildren, teachers, and genealogists.

The Congress has charged the American Folklife Center to preserve and present American Folklife for future generations. Providing the Center with permanent authorization will give the Center the security it needs to carry on its good work, continue its educational services, and strengthen its world-class collections. Permanent authorization will also allow the Center to engage the public's support of its collections through long-range planning and fundraising.

American folklife is the traditional expressive culture shared within the many familial, ethnic, occupational, religious, and regional groups in the United States. It is the very basis of family and community life. I hope we can permanently authorize the Folklife Center so that these wonderful collections will be available to future generations.

By Mr. COCHRAN:

S. 1972. A bill to reform the laws relating to Postal Service Finances, and for other purposes; to the Committee on Governmental Affairs.

THE POSTAL FINANCING REFORM ACT OF 1998

Mr. COCHRAN. Mr. President, today I am re-introducing a bill that I originally introduced last fall—the Postal Financing Reform Act of 1998. This bill is designed to do three things: allow the Postal Service to deposit funds in private sector institutions, invest in open markets—with Treasury approval

of investment choices, and allow the Postal Service to borrow from private credit markets.

For almost two decades now, the Postal Service has been self-supporting. With a yearly budget near $60 billion, and just $100 million appropriated to provide free mailing for the blind, free overseas voting, and reduced postage rates for certain nonprofit mailers, continuing U.S. Treasury control over Postal Service banking, investing, and borrowing is no longer necessary or justified. Nonetheless, when I first introduced the Postal Financing Reform Act last fall, specific concerns were raised by some in the postal community, and I agreed to make changes that were suggested. The Postal Financing Reform Act of 1998 incorporates these changes. Specifically, the revised 1998 Act reverts back to existing law bill language that would have potentially allowed the Postal Service to invest in its private sector competitors, and to benefit from an increased borrowing ceiling at the U.S. Treasury.

Current law prevents the Postal Service from obtaining the most favorable combination of prices and services and results in added operating costs. Under this new approach, the Treasury Department would retain much of its current oversight, but it would no longer be the sole provider of certain financial services to the Postal Service.

The Postal Financing Reform Act of 1998 proposes four significant changes to current law. First, section two of the bill amends Title 39 of the U.S. Code to authorize the Postal Service to deposit its revenues in the Postal Service Fund within the U.S. Treasury or any Federal Reserve banks or depositories for public funds. The requirement to obtain the Secretary of the Treasury's approval before any funds be deposited elsewhere would be eliminated, just as this approval is no longer necessary for other quasi-public agencies like the Tennessee Valley Authority (TVA).

Section three continues the provision of existing law which requires that the Secretary of the Treasury approve any investments the Postal Service may make in non-Government securities. At the same time, it would permit the Postal Service to invest in U.S. Government obligations on its own accord, without unnecessary constraints, thus enabling the Postal Service to take advantage of favorable conditions in the Government securities market.

Section four removes the control of the Secretary of the Treasury over the Postal Service's financial borrowing decisions. The Postal Service would still be required to consult with the Secretary regarding the terms and conditions of the sale of any obligations issued by the Postal Service under section 2006(a) of Title 39, and the Secretary would still exercise a power of approval over the timing of a sale of obligations.

Finally, section five of the bill removes the ability of the Postal Service to require the Secretary of the Treasury to purchase Postal Service obligations. It merely permits the Secretary of the Treasury to buy Postal Service obligations upon the Postal Service's request.

I have heard from many sources that reforms in the Postal Service should be made. Though I have decided to refrain from undertaking comprehensive reform, I have selected instead a simple, straightforward correction of an out of date practice that would reduce costs and help hold down future rate increases, without increasing risk to the taxpayers.

Those who believe the Postal Service should operate as efficiently as possible, thus reducing fees charged to consumers, should support this bill. So, too, should those who profess to see the Postal Service treated more like a business.

I think it is time to act on this issue. I invite Senators to consider this proposal for reform and support this effort to ensure a more efficient and financially sound U.S. Postal Service.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS—POSTAL FINANCING REFORM ACT OF 1998

SECTION 1. SHORT TITLE

The short title of this Act is the Postal Financing Reform Act of 1998.

SECTION 2. END OF TREASURY CONTROL OF POSTAL SERVICE BANKING

This provision would amend 39 U.S.C. 2003(d) by enabling the Postal Service to have sole discretion to deposit its revenues in the Postal Service Fund within the U.S. Treasury or any Federal Reserve banks or depositories for public funds. This amendment enables the Postal Service to deposit its funds as it deems appropriate, and take advantage of banking and other modern financial services in the open market that are unavailable from the Treasury Department.

SECTION 3. POSTAL SERVICE INVESTMENTS

This amendment to 39 U.S.C. 2003(c) ensures continued oversight of any non-Government investments made by the Postal Service. It continues the provision of existing law which requires that the Secretary of the Treasury approve any investments the Postal Service may make in non-Government securities. At the same time, it would permit the Postal Service to invest in U.S. Government obligations on its own accord, without unnecessary constraints, thus enabling the Postal Service to take advantage of favorable conditions in the Government securities market.

SECTION 4. ELIMINATION OF TREASURY PREEMPTION OF BORROWING BY THE POSTAL SERVICE

This amendment to 39 U.S.C. 2006(a) removes the control of the Secretary of the Treasury over the Postal Service's financial borrowing decisions. The Postal Service, however, must consult with the Secretary of the Treasury for a reasonable period of time, as determined by the Postal Service, regarding the terms and conditions of the sale of any obligations issued by the Postal Service under section 2006(a). The specification of a "reasonable" time, rather than a specific number of days, is intended to ensure that the consultation process is concluded in a commercially reasonable time, and does not unduly restrict the borrowing flexibility of the Postal Service. The Secretary will exercise a power of approval over the timing (but not the other terms) of a sale of obligations. At the end of the consultation period, the Postal Service may proceed to issue obligations to a party other than the Secretary, and the Secretary cannot block such action, regardless of whether the Secretary has approved such third-party sale. This provision should allow the Postal Service to minimize interest expense by obtaining the most cost efficient service available.

SECTION 5. ELIMINATION OF POSTAL SERVICE "PUT" ON TREASURY

Section 2006(b) of Title 39 allows the Postal Service to *require* the Secretary of the Treasury to purchase obligations of the Postal Service up to a limit of $2 billion. The amendment removes the ability of the Postal Service to *require* the Secretary of the Treasury to purchase Postal Service obligations. It merely permits the Secretary of the Treasury to buy Postal Service obligations upon the Postal Service's request. Removing this "put" on the Treasury will be consistent with the purpose of directing the Postal Service borrowing to the private sector where it will be able to take advantage of a broader market, albeit with the requisite constraints.

Since the decision to buy is at the discretion of the Secretary of the Treasury, there is no longer a need to place a dollar limit on the amount of Postal Service obligations that the Treasury can purchase. The total limit on Postal Service debt in Section 2005 should apply.

SECTION 6. EFFECTIVE DATE

This Act will become effective 90 days after enactment.

By Mr. BUMPERS (for himself, Mr. CHAFEE, Mr. HOLLINGS, Mrs. BOXER, Mr. TORRICELLI, and Mr. WELLSTONE):

S. 1973. A bill to amend section 2511 of title 18, United States Code, to revise the consent exception to the prohibition on the interception of oral, wire, or electronic communications; to the Committee on the Judiciary.

THE TELEPHONE PRIVACY ACT OF 1998

Mr. BUMPERS. Mr. President, I rise today, along with Senators CHAFEE, HOLLINGS, BOXER, TORRICELLI, and WELLSTONE, to introduce the Telephone Privacy Act of 1998. The issue of telephone privacy thrusts itself into the news every so often. I have introduced similar legislation twice before, because these concerns have been with us since Alexander Graham Bell installed the first party line.

In the early '80s Charles Wick was the head of USIA. He freely admitted that he had recorded more than eighty conversations with then President Reagan and former President Carter,

cabinet members and many others. None of those people knew that Mr. Wick had recorded their conversations. I was absolutely appalled to learn that such conduct is perfectly legal. I have been trying to correct that gap in the law ever since.

Usually, we hear about this issue after some incident where an unsuspecting person has suffered harsh personal consequences after a private conversation has been recorded and disseminated. The Speaker of the House himself was recently recorded by a third party while speaking on a cellular phone. If that call had been made on an ordinary phone, any party to the call could have recorded it without informing the Speaker or anyone else—and it would have been perfectly legal. He could have broadcast it on the evening news and published the transcript in the New York Times. This should be repugnant to almost everyone and yet it is all quite legal. My two previous efforts to make such conduct illegal failed. I believe that in the present environment a majority of our people think it is time to correct this abomination.

Sixteen states have outlawed the taping of phone conversations without the consent of all parties to the call, but the federal law has not caught up with those states. Until a bill like mine becomes law, recording of personal conversations will be legal, so long as one party to the conversation is aware of such recording.

How many Americans are aware that it is legal for the private telephone conversations of any person in this country to be monitored and even recorded without his or her consent? Indeed, how many Senators know?

Americans cherish their privacy as nothing else. One of the reasons the President's popularity is so high is people believe his privacy and the First Lady's privacy has been unfairly invaded.

How many times have we heard a recording on television or read a transcript in the newspaper where one of the parties makes some embarrassing revelation, confident that the conversation is "private," never suspecting that he or she was being recorded?

I am not talking about authorized law enforcement surveillance. I'm not talking about calls to 911. I'm not talking about employers who must monitor calls made by employees in the course of their duties and my bill makes no change in the law regarding Caller ID technologies. My bill would also allow victims of phone threats to record threatening calls. This bill retains all of the existing exceptions to the law that allow our law enforcement agencies and intelligence gathering agencies to carry out their important duties unimpeded.

I want to emphasize that the only change this bill is intended to make to the status quo is this: subject to existing exceptions, under my bill, the interception of wire and electronic communications will be permitted only where all parties have consented, rather than allowing only one party to make that determination. Existing penalties for violations of the law will remain unchanged.

The current law leaves a huge hole in the rights of telephone users. We have tolerated that gap for many years, but those have been years in which communications technology has exploded. In 1998, the technology to intercept and record telephone calls and other wire communications is available to almost everyone—you can do it with an ordinary answering machine. Much of our lives is now conducted over the telephone. Too much of our privacy is at risk. Too much mischief can be made to allow this flaw in our right to privacy any longer.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1973

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Telephone Privacy Act of 1998".

SEC. 2. REVISION OF CONSENT EXCEPTION TO PROHIBITION ON INTERCEPTION OF ORAL, WIRE, OR ELECTRONIC COMMUNICATIONS.

Section 2511(2)(d) of title 18, United States Code, shall be revised to read as follows:

"(d)(i) It shall not be unlawful under this chapter for a person not acting under color of law to intercept a wire, oral, or electronic communication where all parties to the communication have given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

"(ii) Notwithstanding subparagraph (i), a person may intercept a wire, oral, or electronic communication where such person is party to the communication and the communication conveys threats of physical harm, harassment or intimidation."

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1974. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any Alaska Permanent Fund dividend received by a child under age 14; to the Committee on Finance.

TAX LEGISLATION

Mr. MURKOWSKI. Mr. President, I rise to introduce legislation that would alleviate an IRS paperwork hassle that confronts every citizen of Alaska who has a child. I am pleased to be joined by the distinguished senior Senator from Alaska, Senator STEVENS, in introducing this legislation.

Mr. President, when this nation was facing the oil crisis of the 1970s, Alaskan oil from Prudhoe Bay was in large part responsible for allowing our nation to bridge the oil crisis and overcome the blackmail the world faced from the OPEC cartel. The state of Alaska made a foresighted decision at that time that it would take a portion of the oil royalty money and place it into a trust fund for the benefit of the citizens of our State.

This trust fund has grown significantly in the past two decades and has allowed the state to issue dividends to every citizen of the state each year. Mothers, fathers and children are all entitled to an equal share of the dividend. Yet when it comes time to file tax returns, every family with a child in Alaska is forced to file a separate tax return for the child based on the fact that the child's only income is the permanent fund dividend.

Children under 14 must pay income tax if they have investment income of more than $650. If their investment income is greater than $1,400, a special "kiddy tax" is levied that taxes the child's income at the parents' highest tax rate. The kiddy tax was designed for one simple purpose: To prevent high income taxpayers from shifting income to their children for tax avoidance purposes.

Mr. President, in the case of nearly every child in Alaska, there is no effort for parents to shift income to their children. A two-year old is required to file a tax return simply because the state had the foresight to invest state oil royalty income for the benefit of all its citizens.

In recent years, the annual Permanent Fund dividend checks have averaged nearly $1,000 per person. For a two-year old child who received that dividend, the child's parents are responsible for having a tax return prepared for the child that will show a tax liability of $52.50. As all of my colleagues know, filling out tax returns has become ever more complicated. Fewer and fewer individuals are filling out their own returns. Instead, they are having to pay professional preparers to fill out these returns.

In fact, IRS reports that returns filled out by paid preparers are a record high this year—54% of all returns filed had been prepared by professionals. For an Alaskan family with two children, that means a paid preparer must fill out three separate tax forms—one for the mother and father and one for each of the two children. How much additional cost does the preparer charge for the additional returns? The simplest form to file—the 1040 EZ costs $16.50 at the local H&R Block. For two children that's an additional $33, on top of the costs of the parents' return.

And what does it cost the IRS to process that return? I've heard costs that range from $5 to $30. I don't think anyone knows the real answer.

Mr. President, the bottom line is that families with children under 14 in

Alaska are subjected to additional IRS paperwork and filing requirements simply because their children's permanent fund dividends are subject to a few dollars of federal income tax.

The legislation we are introducing today would exclude from income permanent fund dividends received by children under 14. This will eliminate the paperwork burdens that families in our state face simply because their children receive a dividend from the state. Although I am sure this will be scored as losing a modest amount of revenue, about $50 for every Alaskan child, IRS will have to process far fewer tax returns from Alaska's children and parents in Alaska will not have to incur additional tax preparation fees.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INCOME TAX EXCLUSION FOR ALASKA PERMANENT FUND DIVIDENDS RECEIVED BY CHILDREN UNDER AGE 14.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to items specifically excluded from gross income) is amended by redesignating section 138 as section 139 and by inserting after section 137 the following new section:

"SEC. 138. ALASKA PERMANENT DIVIDENDS TO CHILDREN UNDER AGE 14.

"Gross income shall not include any Alaska Permanent Fund dividend received by an individual during a taxable year if the individual has not attained age 14 before the close of the taxable year."

(b) CONFORMING AMENDMENTS.—

(1) Section 1(g)(7)(A)(i) of the Internal Revenue Code of 1986 is amended by striking "(including Alaska permanent fund dividends)".

(2) The table of sections for part III of subchapter B of chapter 1 of such Code is amended by striking the item relating to section 138 and inserting:

"Sec. 138. Alaska Permanent Fund dividends to children under age 14.

"Sec. 139. Cross references to other Acts."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1997.

By Mr. DEWINE (for himself and Mr. LEAHY):

S. 1976. A bill to increase public awareness of the plight of victims of crime with developmental disabilities, to collect data to measure the magnitude of the problem, and to develop strategies to address the safety and justice needs of victims of crime with developmental disabilities; to the Committee on the Judiciary.

THE CRIME VICTIMS WITH DISABILITIES AWARENESS ACT

Mr. DEWINE. Mr. President, I am pleased today to join with Senator LEAHY to introduce the Crime Victims With Disabilities Awareness Act. The purpose of this legislation is to achieve three basic goals: first, to increase public awareness of the plight of crime victims with developmental disabilities; second, to start collecting data to measure the extent and nature of the problem; and third, to develop strategies to address the safety and justice needs of these victims.

Research in foreign countries has found that persons with developmental disabilities are at a 4 to 10 times higher risk of becoming crime victims than those without disabilities. Studies in Canada, Australia, and Great Britain consistently show that crime victims with developmental disabilities suffer repeated victimization, because so few of the crimes against them are reported. Unfortunately, even when crimes against victims with disabilities are reported, there is sometimes a reluctance by justice officials to rely on the testimony of a disabled person, further making these victims a target for criminal predators.

What do we know about similar crimes in the United States? Amazingly, little if any. No significant studies have been conducted in the United States. In fact, the Bureau of Justice Statistics in their annual National Crime Victims Survey does not specifically collect data about crimes against persons with disabilities.

Research needs to be done in the United States to (1) understand the nature and extent of crimes against persons with developmental disabilities; (2) assess how the law enforcement and justice systems currently respond to crimes against the developmentally disabled; and (3) identify programs, policies, or laws that hold promise for making our law enforcement and justice systems more responsive to crimes against persons with developmental disabilities.

Our legislation today would accomplish these three research goals. Our legislation would direct the Attorney General to contract with the National Research Council through the National Academy of Sciences' Committee on Law and Justice to develop a research agenda to increase the understanding and control of crime against persons with developmental disabilities. The National Academy of Sciences would develop a research agenda that includes convening an interdisciplinary panel of nationally recognized experts on crime victims with disabilities and related fields, to define and address critical issues to understanding crimes against people with developmental disabilities. Their research would focus on preventive, educative, social, and legal strategies, and recommend methods for addressing the needs of underserved populations.

An authoritative report resulting from this process should provide some important answers.

In addition, the bill would direct the Attorney General to begin collecting data for the National Crime Victims Survey of crime victims with developmental disabilities. The Attorney General is asked to study and report to the States and to Congress on how the States may collect centralized databases on the incidences of crimes against the disabled.

One reason why this issue is so important, and why this legislation is necessary is because there are more and more people with developmental disabilities. The factors behind this rising population include poor prenatal nutrition and care, increases in child abuse, and substance abuse during pregnancy.

I am hopeful that the research called for in this legislation will have broad, positive national policy implications. Greater knowledge about victims with developmental disabilities will help service providers target programs more effectively. Victims and their families will have a better understanding of crime risks. Justice and social service policy makers will have a greater understanding of how, where, and when these crimes occur, the characteristics of victims, and how these crimes affect victims and their families. Law enforcement may gain information on how to improve investigative and prosecution strategies, and how to use victims' testimony in conjunction with other case evidence. Clearly, what we're trying to do with this legislation is to raise considerably the national profile of this issue among research agencies and the academic community, and to continue to define and develop solutions to this problem.

I ask unanimous consent that the text of the bill be included in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1976

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Crime Victims With Disabilities Awareness Act".

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) although research conducted abroad demonstrates that individuals with developmental disabilities are at a 4 to 10 times higher risk of becoming crime victims than those without disabilities, there have been no significant studies on this subject conducted in the United States;

(2) in fact, the National Crime Victim's Survey, conducted annually by the Bureau of Justice Statistics of the Department of Justice, does not specifically collect data relating to crimes against individuals with developmental disabilities;

(3) studies in Canada, Australia, and Great Britain consistently show that victims with developmental disabilities suffer repeated victimization because so few of the crimes against them are reported, and even when

they are, there is sometimes a reluctance by justice officials to rely on the testimony of a disabled individual, making individuals with developmental disabilities a target for criminal predators; and

(4) research in the United States needs to be done to—

(A) understand the nature and extent of crimes against individuals with developmental disabilities;

(B) describe how the justice system responds to crimes against the developmentally disabled; and

(C) identify programs, policies, or laws that hold promises for making the justice system more responsive to crimes against individuals with developmental disabilities.

(b) PURPOSES.—The purposes of this Act are—

(1) to increase public awareness of the plight of victims of crime who are individuals with developmental disabilities;

(2) to collect data to measure the extent of the problem of crimes against individuals with developmental disabilities; and

(3) to develop strategies to address the safety and justice needs of victims of crime who are individuals with developmental disabilities.

SEC. 3. DEFINITION OF DEVELOPMENTAL DISABILITY.

In this Act, the term "developmental disability" has the meaning given the term in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001).

SEC. 4. RESEARCH AGENDA.

(a) REQUEST FOR CONTRACT.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall submit a request to the National Research Council, that the Committee on Law and Justice of the National Academy of Sciences, acting through the National Research Council, enter into a contract with the Attorney General to develop a research agenda to increase public awareness of crimes against individuals with developmental disabilities and to reduce the incidence of crimes against those individuals.

(b) RESEARCH AGENDA.—The research agenda developed under this section shall—

(1) address such issues as—

(A) the nature and extent of crimes against individuals with developmental disabilities;

(B) the risk factors associated with victimization of the developmentally disabled;

(C) strategies to reduce crimes against individuals with developmental disabilities;

(D) the manner in which the justice and social service systems respond to crimes against the developmentally disabled, and the means by which that response can be improved;

(E) the personal and social consequences of victimization;

(F) the importance of place and context in understanding crimes against the developmentally disabled; and

(G) the means by which to achieve a better understanding of the interaction between caregiver, victim, and other circumstances in improving public safety; and

(2) include an analysis of various methodologies for addressing the issues described in paragraph (1), which may include—

(A) appropriate longitudinal designs to increase understanding of its causes;

(B) rigorous evaluation research designs to inform and improve prevention, intervention, and control efforts;

(C) a multidisciplinary approach to measuring the nature and frequency of crimes against the developmentally disabled, and the personal and social consequences of those crimes;

(D) survey data and analysis efforts that better describe the victimization experiences of the developmentally disabled, the context in which victimization occurs, and the social and institutional responses to these experiences; and

(E) the development of a Federal research response and a coordinated research strategy by Federal agencies.

(c) PANEL OF EXPERTS.—In developing the research agenda under this section, the Committee on Law and Justice shall—

(1) convene and consult with a panel, which shall be composed of—

(A) nationally recognized experts on victims of crime who are individuals with disabilities, in the fields of—

(i) law;

(ii) services to individuals with disabilities;

(iii) criminology;

(iv) education;

(v) direct services to victims of crime; and

(vi) the social sciences; and

(B) crime victims with disabilities who are members of diverse ethnic, social, and religious communities; and

(2) focus primarily on preventive, educative, social, and legal strategies, including addressing the needs of underserved populations.

(d) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report describing the research agenda developed under this section.

(2) REPORT.—The Attorney General shall ensure that—

(A) the report submitted under paragraph (1) is disseminated widely in governmental, nonprofit, and academic arenas, including by seminars, briefings, and the Internet; and

(B) shall make not less than 100 copies of the report available upon request to nonprofit organizations free of charge.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $375,000 for each of fiscal years 1999 and 2000.

SEC. 5. NATIONAL CRIME VICTIMS SURVEY.

(a) SURVEY.—As part of each National Crime Victims Survey, the Attorney General shall include statistics relating to the nature and characteristics of victims of crime who are individuals with developmental disabilities.

(b) CONSULTATION.—In carrying out subsection (a), the Attorney General shall use a methodology developed in consultation with experts in the collection of criminal justice data, statistics, services to individuals with disabilities, and victims of crime.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000 for fiscal year 1999.

SEC. 6. STATE DATABASES.

(a) IN GENERAL.—The Attorney General shall conduct a study and submit to Congress and to each State a report on the means by which each State may establish and maintain a centralized computer database on the incidence of crimes against individuals with disabilities within the State.

(b) CONSULTATION.—In conducting the study under subsection (a), the Attorney General shall consult with—

(1) individuals who are experts in the collection of criminal justice data;

(2) State statistical administrators;

(3) law enforcement personnel;

(4) nonprofit nongovernmental agencies that provide direct services to victims of crime who are individuals with disabilities; and

(5) such other individuals and entities as the Attorney General considers to be appropriate.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives, a report describing the results of the study under subsection (a), which report shall include the views of the individuals and agencies consulted under subsection (b).

Mr. LEAHY. Mr. President, I am proud to join Senator DEWINE in introducing the Crime Victims With Disabilities Awareness Act. This legislation will address and strengthen our services for disabled victims of crime throughout our country.

It is important that we focus attention on the needs and rights of crime victims not only during this week, National Crime Victims Rights Week, but throughout the year. For the past several years, I have worked hard with others to make improvements in the law and provide greater assistance to victims of crime.

My involvement with crime victims rights began more than three decades ago when I served as State's Attorney for Chittenden County, Vermont, and witnessed first-hand the devastation of crime. I have worked ever since to ensure that the criminal justice system is one that respects the rights and dignity of victims of crime and domestic violence, rather than presents additional ordeals for those already victimized.

The needs of victims of crime are many and must be addressed in a number of ways, including strengthening law enforcement and education, improving and increasing services for victims, and protecting the rights of victims. Today I am proud to again have the support of the Vermont Center for Crime Victim Services in focusing attention on the needs of crime victims with disabilities with the Crime Victims With Disabilities Awareness Act.

Research conducted abroad has shown that individuals with disabilities have a four to 10 times higher risk of becoming a victim than do individuals without disabilities. Despite these findings, there have been no significant studies on this subject conducted in the United States. The Crime Victims With Disabilities Awareness Act we are introducing today will rectify this omission.

The Crime Victims With Disabilities Awareness Act proposes to have the Committee on Law and Justice of the National Academy of Sciences conduct research so as to increase public awareness of victims of crime with disabilities, to understand the nature and extent of such crimes, and to develop

strategies to address the safety and needs of victims of crime with disabilities. This Act directs the Attorney General to utilize statistics gathered from this study for inclusion in the National Crime Victims Survey. The Crime Victims With Disabilities Awareness Act also directs the Attorney General to submit a report detailing the means by which each State can establish and maintain a database on the incidence of crimes against individuals with disabilities.

Over the last 20 years we have made strides in recognizing crime victims' rights and providing much needed assistance. I am proud to have played a role in passage of the Victims and Witness Protection Act of 1982, the Victims of Crime Act of 1984, and the Victims' Rights and Restitution Act of 1990 and the other improvements we have been able to make.

In the Violent Crime Control Act of 1994, Congress acted to ensure a right of allocation for victims of crimes of violence or sexual abuse and to make tens of millions of dollars available to crime victims. No amount of money can make up for the harm and trauma of being the victim of a crime, but we should do all that we can to see that victims are assisted, compensated and treated with dignity by the criminal justice system.

I was the author of the Victims of Terrorism Act that was passed by the Senate in the wake of the Oklahoma City bombing and became the basis for the Justice for Victims of Terrorism Act signed into law in April 1996. We were able to make funds available through supplemental grants to the States to assist and compensate victims of terrorism and mass violence, which incidents might otherwise have overwhelmed the resources of Oklahoma's crime victims compensation program or its victims assistance services. We also filled a gap in our law for residents of the United States who are victims of terrorism and mass violence that occur outside the borders of the United States. In addition, we allowed greater flexibility to our State and local victims' assistance programs and some greater certainty so that they can know that our commitment to victims programming will not wax and wane with events. And we were able to raise the assessments on those convicted of federal crimes in order to fund the needs of crime victims.

Last year, I cosponsored the Victim Rights Clarification Act of 1997. That legislation reversed a presumption against crime victims observing the fact phase of a trial if they were likely to provide testimony during the sentencing phase of that trial. As a result of that legislation, not only were victims of the Oklahoma City bombing able to observe the trial of Timothy McVeigh, all those who were able to witness the trial and were called as witnesses to provide victim impact testimony at the sentencing phase of that trial were able to do so.

The Crime Victims Assistance Act, legislation that I introduced this past July with Senator KENNEDY, builds upon the progress made over the last several years. It provides for a wholesale reform of the Federal Rules and Federal law to establish additional rights and protections for victims of federal crime. This bill would provide crime victims with an enhanced right to be heard on the issue of pretrial detention and plea bargains, an enhanced right to a speedy trial and to be present in the courtroom throughout a trial, an enhanced right to be heard on probation revocation and to give a statement at sentencing, and the right to be notified of a defendant's escape or release from prison. The Crime Victims Assistance Act would also strengthen victims' services by increasing Federal victim assistance personnel, enhancing training for State and local law enforcement and Officers of the Court, and establishing and ombudsman program for crime victims.

With a simple majority of both Houses of Congress, the Crime Victims Assistance Act could be enacted this year and we could mark a significant and immediate difference in the lives of victims throughout our country. I hope that the Senate will turn to this important measure without further delay. Unfortunately, one consequence of the effort to focus attention on proposals to amend the Constitution has been to dissipate efforts to enact effective victims rights legislation over the past two years. The momentum we had built over the last several years has been dissipated by this focus to the exclusion of statutory reform.

While we have made great improvements in our law enforcement and crime victims assistance programs and have made advances in recognizing crime victims' rights, we still have work to do. This week is National Crime Victims' Rights Week. Crime victims advocates across Vermont and the nation are commemorating this week with ceremonies, awards and proclamations. I am honored to have received recognition from the Vermont Center for Crime Victims Services and the Vermont Network for Domestic Violence and Sexual Assault during National Crime Victims Rights Week in 1996 and a Congressional Leadership Award from the National Organization for Victim Assistance. Each year at this time our hearts go out to the families and victims of crime. Each year I try to help focus attention on those who work so hard every week of the year on behalf of all crime victims in crime victims' assistance and compensation programs.

There are many individuals in Vermont who I would like to thank for their expertise and advice in addressing victims' rights and services, including Lori Hayes, Executive Director of the Vermont Center for Crime Victim Services, and Marty Levin, Coordinator of the Vermont Network Against Domestic Violence and Sexual Assault. Their hard work and dedication have made a real difference in the lives of people who suffer from violence and abuse.

In May 1997, the Department of Justice Office for Victims of Crime concluded that "Vermont's programs are setting the standard for outreach to undeserved populations and service coordination among providers and allied professionals." Vermont's leadership was also recently recognized with its selection for participation in the Department of Justice Rural Victim Services 2000 project. The Vermont Center for Crime Victim Services will administer this grant to conduct the first systematic survey of what rural crime victims need. The more informed we become of the needs of victims, the more we can adapt services to make them more effective and efficient.

I commend all those in Vermont and across the country who are committed to assisting crime victims.

By Mr. D'AMATO (for himself and Mr. REID):

S. 1977. A bill to direct the Secretary of Transportation to conduct a study and issue a report on predatory and discriminatory practices of airlines which restrict consumer access to unbiased air transportation passenger service and fare information; to the Committee on Commerce, Science, and Transportation.

THE CONSUMER ACCESS TO TRAVEL INFORMATION ACT OF 1998

Mr. D'AMATO. Mr. President, I rise today to offer legislation that will benefit consumers and small businessmen and women who must travel by air. The bill I am introducing today, the Consumer Access to Travel Information Act of 1998, will reverse an increasingly anti-consumer, anti-competitive trend in airline travel across the country.

For three years, the major airlines have been moving to gain more control over the airline travel ticket distribution system. While this effort may seem harmless, the ramifications to consumers are significant. Currently, most air travelers get their information from one of the 33,000 travel agencies around the country. These agencies provide consumers with unbiased and comprehensive air travel information, i.e., the best flight at the cheapest fare. Without that independent source of travel information, there is no doubt that consumers will be paying more, in many cases, substantially more for air travel.

The Consumer Access to Travel Information Act of 1998 is a reasonable, and balanced bill that is significant not

only for what it does, but also for what it doesn't do. This legislation would simply require the Secretary of Transportation to investigate the behavior of major airlines, including discriminatory and predatory practices of airlines which target travel agents, other independent distributors, and small airlines. This is authority that the Secretary currently has under the Airline Deregulation Act of 1978, but has thus far not elected to use. This bill makes certain this investigation is undertaken. If it is determined that anti-competitive, discriminatory or predatory practices exist, the Secretary must report to Congress those steps the Department intends to take to address such practices.

What this legislation does not do is regulate the airline industry. In fact, this legislation is a wake up call for the industry. As the for-profit hospital and HMO industries discovered, if consumers are disregarded, and anti-competitive activities are encouraged, the heavy hand of regulators and anti-trust remedies will soon follow. This investigation by DOT may bring to light practices that the airlines themselves may not even realize exist. It is far better to have DOT look into these issues and have them addressed now, than to have Congress begin pursuing more proactive legislative remedies in the future.

Travel agents provide critical services to air travelers, and air travelers depend heavily upon travel agents to provide an accurate, broad selection of schedules, fare quotes, and ticketing services for all airlines. Agents quote schedules and fares, and provide ticketing services, to consumers on major U.S. airlines, small U.S. airlines, large and small international airlines, and start-up airlines.

The travel agency community and other independent ticket distributors are the only efficient, independent and comprehensive sources of information for airline travel options. Travel agencies and other independent distributors comprise a considerable portion of the small business sector in the United States, employing over 250,000 people. Over 50% of travel agencies are owned by women or minorities.

Every industry study conducted since the 1960's has concluded that travel agents can process reservation and ticketing transactions in any medium more efficiently than can airlines. Just this year, one of the world's largest and most efficient airlines announced the closing of all of its U.S. ticket offices in favor of the efficiencies of the U.S. travel agency industry.

So why are multi-billion dollar airlines putting the squeeze on the mom and pop travel agencies? Unfortunately, the answer lies beyond just sucking more revenue from the travel agent. The biggest threat to the current airline oligopoly is the young, up-start airlines. Wherever these airlines operate, the major air carriers' prices are competitive. Wherever these airlines do not operate, the consumer pays monopoly prices. Small domestic airlines, many international airlines, and start-up airlines heavily depend upon the travel agency distribution system. There is no alternate distribution system available to these types of airlines. A less ubiquitous, less independent travel agency means less business for, and less competition from, the smaller airlines.

As part of the effort to consolidate their market power, the airlines began to focus on the ticket distribution system. Twice in the last three years, the major airlines have initiated and supported reductions in travel agent commissions on the sale of air travel. In February alone, total travel agent commissions on domestic travel dropped 21%. More reductions from airlines, and greater travel agent losses, are expected. The number of travel agencies has decreased for the first time since World War II, and many more closings are expected as agency operating reserves are exhausted.

As travel agents are forced out of the industry and airlines secure more direct consumer business, consumer alternatives will continue to decrease, resulting in significantly higher consumer travel costs. Major airlines have generally misrepresented the reason for agency commission cuts, citing a need to reduce expenses and pass savings on to consumers. In fact, airline ticket prices have steadily increased, there have been no consumer benefits, airlines are posting record profits quarter-after-quarter, and consumers are paying the highest airfares in history.

Commissions are not the only way in which the airlines are using anti-competitive practices to pressure the travel agents. For example, confidential business information generated by travel agents, such as marketing, bookings, and sales data, is routinely shared by the airlines.

Considering airlines regard themselves as competitors of travel agents, this is an intolerable situation for the travel agents.

Another example of unfair treatment is the use of promotions, concessions, and benefits that airlines can pass on to consumers that are denied to travel agents. In addition the airlines operate the Airlines Reporting Corporation (ARC), which controls both who can become a travel agent and the settlement of funds between travel agents and the airlines.

Internet travel servicing, one ticket distribution alternative which holds great promise for consumers, is also being dominated by the major air carriers. As a practical matter, travel agents have already been excluded by airlines from selling tickets booked by electronic means. As with conventional distribution, Internet consumers have very limited ability to view consolidated electronic schedule and fare information, much less interpret the rules, restrictions and penalties attached to such lower fares as might be found.

That is why, Mr. President, Congress must pass the Consumer Access to Travel Information Act of 1998 before consumers are hurt further, and before there is an overwhelming cry to reregulate air travel.

Mr. President, I urge my colleagues to support this legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1977

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consumer Access to Travel Information Act of 1998".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) To foster and preserve competition, national transportation policy should support the continuation of widespread, convenient, and efficient public access to unbiased comparative air transportation passenger service and fare information.

(2) The traveling public relies upon unbiased comparative air transportation passenger service and fare information provided by independent retail travel agents and other independent sources.

(3) Concentrations of market power, restrictions on entry, and predatory and discriminatory practices of airlines impair consumer access to independently distributed unbiased comparative information about air transportation passenger services or fares.

(4) If not corrected, such practices will seriously restrict consumer access to the independent and unbiased service and fare information provided by travel agents and other independent sources.

SEC. 3. POLICY.

Section 40101(a) of title 49, United States Code, is amended by adding at the end the following:

"(16) Ensuring that consumers may obtain unbiased comparative information from travel agents and other independent sources about air transportation passenger services and fares in an efficient and convenient manner.".

SEC. 4. STUDY; REPORT.

(a) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation (hereinafter in this Act referred to as the "Secretary") shall undertake a study of the availability to consumers of adequate unbiased information about air transportation passenger services and fares. The study shall include an investigation of the following practices:

(1) Air carrier policies that deter or prevent travel agents or other independent sources from using competitively efficient phone systems, computer reservation systems, or other electronic systems to communicate or consummate transactions with the public.

(2) Air carrier policies that deter or prevent travel agents and other independent

sources from offering the public the same or greater concessions, benefits, or services than those offered by air carriers directly to those consumers.

(3) Discriminatory collective or joint operation of assets used to offer concessions, benefits, or services to the public while denying comparable access to such concessions, benefits, or services through travel agents and other independent sources, including joint sales activities, denial of competitive tools, and denial of distribution efficiencies.

(4) Sharing of competitively significant sales transaction data in violation of the confidentiality interests of the travel agents or other independent sources that generated such data.

(5) As the Secretary considers appropriate, any other practices which may impair consumer access to independently distributed unbiased comparative information about air transportation passenger services or fares.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall transmit to Congress a report of the conclusions of the study required by subsection (a).

SEC. 5. CEASE AND DESIST ORDERS.

The Secretary shall, after notice and hearing, order any air carrier or other party engaged in any practice or policy which constitutes a predatory, unfair, or deceptive practice or unfair method of competition which restricts the widespread, convenient, and efficient access by the public to unbiased comparative air transportation passenger service and fare information or the sale, booking, or distribution of air transportation passenger services or products, to cease and desist therefrom.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 1978. A bill to designate the auditorium located within the Sandia Technology Transfer Center in Albuquerque, New Mexico, as the "Steve Schiff Auditorium"; to the Committee on Energy and Natural Resources.

THE STEVE SCHIFF AUDITORIUM DESIGNATION ACT OF 1998

Mr. DOMENICI. Mr. President, it is a real honor today to introduce legislation, together with Senator BINGAMAN, to honor Representative Steve Schiff. This legislation designates a special auditorium at the Sandia National Laboratories as the "Steve Schiff Auditorium." Steve spoke in this Auditorium on several occasions, as part of his long service to the people of New Mexico.

I think everyone knows that Steve Schiff exemplified all that was good about public service: integrity of the highest order, deep and fundamental decency, and an acute and open mind. He went about his business quietly, but with wonderful efficiency. He was great at telling stories, usually about himself. He was a model for all politicians to admire.

Steve came to New Mexico from Chicago, where he was born and raised. He served the people of New Mexico in different capacities since 1972, when he graduated from the Law School at the University of New Mexico. Before election to Congress in 1988, he served as District Attorney for eight years.

One of Steve's favorite local programs was his Tree Give-Away Program. For eight years, Steve held a Saturday tree give-away day at the Indian Pueblo Cultural Center. He gave away more than 115,000 trees. Through those trees, he shared his own hope, faith, and love. Those trees now flourish throughout the Albuquerque area in New Mexico as lasting symbols of this man. In a similar way, his legislative achievements continue to serve the American people as another reminder of this great American.

Along with those trees and his legislation, the Steve Schiff Auditorium will serve as a lasting memorial. I am happy and honored to have been a part of his life.

I think he would be pleased that this major facility at Sandia National Laboratories, an auditorium where many events occur, many events he has sponsored, that he desires that we talk about in our Federal Government as it pertains to nuclear weapons and research, that it be designated after him.

Mr. BINGAMAN. Mr. President, I feel very honored today to rise with my colleague, Senator DOMENICI, to introduce legislation to honor Representative Steven H. Schiff, who died last month. This bill names the Auditorium in the Technology Transfer Center at Sandia National Laboratories as the Steven H. Schiff Auditorium. I have visited Sandia's Technology Transfer Center (TTC) in Albuquerque, New Mexico. It is a beautiful building dedicated to furthering collaborations between the fine staff of scientists and engineers at Sandia and their counterparts in American universities and industry.

It is altogether fitting that we dedicate the TTC Auditorium to the memory of Steven Schiff. Steve was a strong champion of collaborations and making the resources of our national laboratories available to US industry to help us compete in the global economy.

Mr. President, Sandia National Laboratories has 6,000 employees. The lab is one of the nation's premier national security facilities with major responsibilities for our nation's energy research and development projects. Part of Sandia's mission includes technology transfer. The emphasis is on partnerships between industry and the lab to collaborate on emerging new technologies.

Today, Sandia's vast technical expertise is being applied to solve a variety of technical problems that will benefit working Americans. A number of exciting collaborations between Sandia's engineers and private industry have come about as a direct result of Steve's efforts. Some of these collaborations include projects to improve microelectronics and computers, airline and airport safety, lightweight materials for automobiles, robots for advanced manufacturing, and automobile tires that are safer and provide consumers better fuel economy. Madam President, I could go on and on.

Perhaps the one area of Sandia's work that Steve was the most proud of was the lab's application of its 20 years of experience in state-of-the-art physical security technologies to the important areas of fighting crime and terrorism. Today, Sandia's vital and highly visible programs are helping to assure the safety and security of every American. In particular, Steve's efforts were instrumental in creating a satellite facility of the National Institute of Justice at Sandia. This linkage was especially satisfying to Steve because of his leadership positions on both the House Science and Judiciary Committees.

In a short time, Sandia's efforts for the Department of Justice and the FBI are helping to combat crime and terrorism. These programs are having a major impact on the safety and security of all Americans. These efforts are truly one of Steve Schiff's greatest legacies to New Mexico and the nation.

I'd like to cite just a few examples of Sandia's programs for the National Institute of Justice. Because of Steve's efforts, Sandia was able to play a vital role in disarming a bomb left in the unabomber's cabin. Sandia also has a school safety and security program that has dramatically increased the safety of high school students in Belén, New Mexico. I had a chance to visit the school, and it is truly remarkable what Sandia has accomplished there. Another example of Sandia's innovative technologies is the development of a "smart gun" that can only be fired in the hands of someone authorized to use it. And Sandia is developing explosive detectors for increased airport security and new ways of detecting illegal drugs.

Perhaps the culmination of Steve's efforts was last August, when 64 of the world's top bomb squads came to Operation Albuquerque '97 for hands-on experience with the latest science and methods for disabling terrorist bombs.

Madam President, using our national laboratories' unique resources to save lives and protect the safety of ordinary people is surely a proper memorial for Steve Schiff. Naming the auditorium at Sandia National Laboratories in his honor is another. I am proud to cosponsor this legislation, and I thank my colleague, Senator DOMENICI, for his efforts.

By Mr. CAMPBELL (for himself and Mr. FAIRCLOTH):

S. 1979. A bill to ensure the transparency of International Monetary Fund operations; to the Committee on Foreign Relations.

THE IMF TRANSPARENCY AND EFFICIENCY ACT OF 1998

Mr. CAMPBELL. Mr. President, today I introduce the "International

Monetary Fund Transparency and Efficiency Act of 1998." When bailing out failing economies, the International Monetary Fund often requires countries to make their markets more transparent, efficient and accountable. In the wake of the Asian economic crisis, it has become clear that the IMF itself also sorely needs the very same increased transparency, efficiency, and accountability that the IMF demands of others.

I am pleased to be joined today by my colleague from North Carolina, Senator FAIRCLOTH, as an original cosponsor of this legislation.

On March 17, 1998, the Senate Appropriations Committee approved S. 1769, which would provide Supplemental Appropriations for the IMF for Fiscal Year 1998. Although I voted against the amendment which would provide $18 billion to bail out the IMF, the Senate ultimately adopted this amendment. While S. 1769 contains a few provisions calling for IMF reforms, like increased transparency and calling on countries receiving IMF loans to end market distorting government subsidies, S. 1769 contains much weaker enforcement mechanisms than those contained in the bill I am introducing today. Also, S. 1769 does not curtail the IMF's subsidized interest rates, something this bill will do.

Just last week, the IMF itself freely admitted the need for increased openness and accountability. On April 14, 1998, on the eve of the IMF's annual spring meeting, Managing Director, Michel Camdessus, promised more openness and accountability at the IMF. Furthermore, during a National Journal interview earlier this month, Deputy Treasury Secretary Lawrence Summers was quoted as saying, "Equally, we cannot be satisfied with the IMF that we now have. And that is why it is important to build consensus as rapidly as possible on efforts to make the IMF a more transparent institution." I believe the American taxpayers deserve no less.

We in Congress must act to ensure that just such IMF reforms become reality. By sending the IMF's established hierarchy a clear and immediate reason to implement these reforms we will ensure that these long overdue reforms will actually take place.

This legislation is also timely. When the IMF bails out failing economies, it regularly calls for increased transparency and governmental efficiency as a precondition for receiving financial aid. The IMF is right on target in this respect. Increased transparency and accountability are crucial to give the American taxpayers reasonable assurances that the problems that cause these economic breakdowns are being directly addressed. Obviously, if these troubled economies had been transparent, efficient and open to American exports from the start, Congress would not be debating about making another $18 billion available to the IMF. Clearly, the IMF itself should live up to the standards it sets for others.

This legislation would withhold U.S. federal funding from the IMF until the Treasury Secretary certifies that the IMF has met four specific reform requirements, and then Congress enacts a joint resolution approving this certification.

First, the IMF would be required to make the minutes of its board of Governors or Executive Board available for public inspection within three months of the meeting. Second, the IMF would release copies of loan and program documents, written reviews, and other pertinent documents related to proposed and ongoing programs within three months. Third, the IMF would establish an independent board to review the IMF's operations, research and loan activities and then issue annual reports for public inspection. Finally, when granting financial assistance, the IMF would charge interest rates that are comparable to market interest rates rather than the subsidized interest rates it currently charges. Naturally, this bill includes special exemptions to protect classified U.S. information, information which would disrupt markets, and proprietary information.

The administration and IMF have requested that the American taxpayers make an additional $18 billion of their hard-earned dollars available to the IMF to replenish its fund that has been depleted by the Asian financial crisis. My bill will bring accountability to an institution, funded in large part by the American people that has—for the last 50 years—eluded true accountability. Increased transparency and efficiency will finally enable the American taxpayers to clearly see how their tax dollars are being used by the IMF.

For the reasons stated above and more, I introduce this bill as the Senate companion to H.R. 3331, recently introduced by our colleagues in the House, Congressman SAXTON of New Jersey, the Chairman of the Joint Economic Committee, Congressman TOM CAMPBELL from California, and House Majority Leader DICK ARMEY. The Heritage Foundation has described this legislation as a compromise with a lot of merit. It is time for increased transparency and efficiency at the IMF, and I urge my colleagues to support passage of this legislation. I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1979

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "IMF Transparency and Efficiency Act of 1998".

SEC. 2. DENIAL OF FEDERAL FUNDS TO THE INTERNATIONAL MONETARY FUND IF ITS OPERATIONS ARE NOT MADE MORE TRANSPARENT.

Title XV of the International Financial Institutions Act (22 U.S.C. 262o–262o–1) is amended by adding at the end the following:

"SEC. 1503. DENIAL OF FEDERAL FUNDS TO THE INTERNATIONAL MONETARY FUND IF ITS OPERATIONS ARE NOT MADE MORE TRANSPARENT.

"(a) IN GENERAL.—An officer, employee, or agent of the United States may not, directly or indirectly, provide Federal funds to, or for the benefit of the International Monetary Fund unless—

"(1) there is in effect a written certification, made by the Secretary of the Treasury to the Committee on Banking and Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, that the International Monetary Fund has met the requirements of subsection (b); and

"(2) the Congress has enacted a joint resolution approving the certification.

"(b) REQUIREMENTS.—The requirements of this subsection are the following:

"(1) Within 3 months after any meeting of the Board of Governors or the Executive Board of the International Monetary Fund, an edited copy of the minutes of the meeting shall be made available for public inspection, with the following information redacted:

"(A) Information which, if released, would adversely affect the national security of a country, and which is of the type that would be classified by the United States Government.

"(B) Information which, if released, would disrupt markets.

"(C) Proprietary information.

"(2) Within 3 months after the staff of the International Monetary Fund makes a loan document, written review, program document, or assessment of any proposed or ongoing loan program of the International Monetary Fund, a copy of the review, document, or assessment, and all related and supporting materials, shall be made available for public inspection, with the following information redacted:

"(A) Information which, if released, would adversely affect the national security of a country, and which is of the type that would be classified by the United States Government.

"(B) Information which, if released, would disrupt markets.

"(C) Proprietary information.

"(3) Not later than 18 months after the date of enactment of this section:

"(A) The International Monetary Fund shall establish an independent advisory board to review the research, operations, and loan programs of the International Monetary Fund.

"(B) The legislature of each country which is represented on the Executive Board of the International Monetary Fund shall each appoint to the advisory board 1 individual with expertise in private sector finance gained in the private sector or in academia.

"(C) The advisory board shall issue annual reports summarizing its activities, which shall be available immediately for public inspection.

"(4) The annual rate at which the International Monetary Fund charges interest on loans made after the date of enactment of this section shall be comparable to the average annual rate of interest in financial markets for loans of comparable maturity, adjusted for risk.

"(c) EFFECTIVE PERIOD OF CERTIFICATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), certification made under this section shall cease to be in effect 1 year after the date the certification is made.

"(2) REVOCATION.—

"(A) IN GENERAL.—A certification made under this section shall cease to be in effect if the Secretary of the Treasury revokes the certification.

"(B) CAUSE FOR REVOCATION.—The Secretary of the Treasury shall revoke a certification made under this section if the Secretary of the Treasury is made aware that the International Monetary Fund has ceased to meet a requirement of subsection (b).".

SEC. 3. EFFECTIVE DATE.

This Act shall take effect 6 months after the date of enactment of this Act.

By Mr. BREAUX:

S. 1980. A bill to amend the Internal Revenue Code of 1986 to allow certain coins to be acquired by individual retirement accounts and other individually directed pension plan accounts; to the Committee on Finance.

INDIVIDUAL RETIREMENT ACCOUNT LEGISLATION

Mr. BREAUX. Mr. President, I rise today to introduce legislation allowing certain U.S. legal tender coins to be qualified investments for an individual retirement account (IRA).

Congress excluded "collectibles", such as antiques, gold and silver bullion, and legal tender coinage, as appropriate for contribution to IRAs in 1981. The primary reason was the concern that individuals would get a tax break when they bought collectibles for their personal use. For example, a taxpayer might deduct the purchase of an antique rug for his/her living room as an IRA investment. Congress was also concerned about how the many different types of collectibles are valued.

Over the years, however, certain coins and precious metals have been excluded from the definition of a collectible because they are independently valued investments that offer investors portfolio diversity and liquidity. For example, Congress excluded gold and silver U.S. American Eagles from the definition of collectibles in 1986, and the Taxpayer Relief Act of 1997 took the further step of excluding certain precious metals bullion.

My legislation would exclude from the definition of collectibles only those U.S. legal tender coins which meet the following three standards: certification by a nationally-recognized grading service, traded on a nationally-recognized network, and held by a qualified trustee as described in the Internal Revenue Code. In other words, only investment quality coins that are independently valued and not held for personal use may be included in IRAs.

There are several nationally-recognized, independent certification or grading services. Full-time professional graders (numismatists) examine each coin for authenticity and grade them according to established standards. Upon certification, the coin is sonically-sealed (preserved) to ensure that it remains in the same condition as when it was graded.

Legal tender coins are then traded via two independent electronic networks—the Certified Coin Exchange and Certified CoinNet. These networks are independent of each other and have no financial interest in the legal tender coinage and precious metals markets. The networks function in precisely the same manner as the NASDAQ with a series of published "bid" and "ask" prices and last trades. The buys and sells are enforceable prices that must be honored as posted until updated.

Mr. President, the liquidity provided through a bona fide national trading network, combined with published prices, make legal tender coinage a practical investment that offers investors diversification and liquidity. Investment in these tangible assets has become a safe and prudent course of action for both the small and large investor and should be given the same treatment under the law as other financial investments. I urge the Senate to enact this important legislation as soon as possible.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD as follows:

S. 1980

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTAIN COINS NOT TREATED AS COLLECTIBLES.

(a) IN GENERAL.—Subparagraph (A) of section 408(m)(3) of the Internal Revenue Code of 1986 (relating to exception for certain coins and bullion) is amended to read as follows:

"(A) any coin certified by a recognized grading service and traded on a nationally recognized electronic network, or listed by a recognized wholesale reporting service, and—

"(i) which is or was at any time legal tender in the United States, or

"(ii) issued under the laws of any State, and".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 1997.

By Mr. HUTCHINSON:

S. 1981. A bill to preserve the balance of rights between employers, employees, and labor organizations which is fundamental to our system of collective bargaining while preserving the rights of workers to organize, or otherwise engage in concerted activities protected under the National Labor Relations Act; read the first time.

THE TRUTH IN EMPLOYMENT ACT

Mr. HUTCHINSON. Mr. President, small businesses are under attack in this country, and the United States government, through the National Labor Relations Board and other regulatory agencies, is aiding in this unprecedented assault. This battle is being waged against small employers by paid and unpaid union operatives who get access to non-union workplaces by seeking employment in these companies. Because employers are not allowed to refuse to hire union labor, they are usually hired. Once on job, these union agents put economic pressure on their employers by causing workplace disruptions that increase their employer's cost of doing business. This union guerilla warfare against employers is known as "salting."

The weapon of choice for these union operatives is to file unfair labor charges against their merit shop employers at the National Labor Relations Board or to file complaints against their employers at the EEOC, OSHA, or other regulatory agencies. Defending against these charges and complaints costs the employers in both legal fees and in lost time. As an added benefit, these cases often net union employees large damage awards or settlements because their employers can ill-afford the expense of defending themselves against the barrage of frivolous charges being filed against them.

Consider the following examples: Gaylor Electric of Carmel, Indiana has had 96 charges filed against it. While each and every one of these cases has been dismissed without merit, Gaylor Electric has had to bear the cost of these cases to the tune of $250,000 per year. Likewise, hth Companies in Union, Missouri has had 48 unfair labor charges filed against it. Again, while all but one of these cases was dismissed, hth Companies has wasted $150,000 defending itself against these frivolous charges. Bay Electric in Cape Elizabeth wasted over $100,000 defending itself against 14 unfair labor charges—each of which was dismissed without merit. Wright Electric in Delano, Minnesota has lost almost $500,000 defending itself against 15 unfair labor charges, 14 of which have been dismissed, and one of which is still pending.

In my home state, Little Rock Electrical, of Little Rock, Arkansas has been flooded with 72 unfair labor cases in just one year, 20 of which have already been dismissed, and 45 which have been set for trial. Finally, R.D. Goss in Clearfield, Pennsylvania has suffered the worst, having been hit with 20 unfair labor cases, all but one of which was dismissed—but which forced them out of business after 38 years.

Mr. President, I support the right of workers to organize, and I am always reluctant to propose federal legislation that interferes in private matters—particularly private contractual relationships between employers and employees. However, in this case, as the above examples show, the federal government, particularly through the National Labor Relations Board, is

wreaking havoc on merit shop contractors through this unfair, but legal, practice.

Evidence as to the true nature and intent of union salting was best explained in the Organizing Manual of the International Brotherhood of Electrical Workers (IBEW), which stated that the true goal of "salting" is to:

> . . . threaten or actually apply the economic pressure necessary to cause the employer to . . . raise his prices to recoup additional costs, scale back his business activities, leave the union's jurisdiction, go out of business, and so on.

Or, more bluntly, in the words of an IBEW organizing flyer, the goal is:

> . . . infiltration, confrontation, litigation, disruption, and hopefully annihilation of all non-union contractors.

On February 13, 1997, I introduced legislation that addresses the issue of salting. This legislation, The Truth in Employment Act of 1997, would have allowed employers to reject an applicant that has no intention of actually working for the company, but who was instead solely interested in organizing and harassing their employer and fellow employees. Earlier this month, the House of Representatives passed their own version of the Truth in Employment Act, under the able leadership of Chairman BILL GOODLING of Pennsylvania and Chairman HARRIS FAWELL of Illinois, both of whom I had the privilege of serving with when I was a Member of the House.

Today, I am introducing new legislation to address this issue of salting. My new bill, the Truth in Employment Act of 1998 is identical to the House passed version.

Mr. President, the strength of this country rests on the freedom of individuals to pursue their dreams and ideas, and to risk their own capital to open and operate small businesses. Likewise, this country is built on the principle that workers are free to sell their labor, and if they deem necessary, to join fellow workers to negotiate higher pay or better working conditions. This measure will not undermine either of these legitimate rights. This bill only seeks to stop the destructive practice of "salting" to protect employers who operate non-union shops, and to protect employees who freely choose to work for these non-union employers.

I would urge my fellow Senators to join our colleagues in the House and pass the Truth in Employment Act. The survival of America's small businesses demand that we act.

ADDITIONAL COSPONSORS

S. 236

At the request of Mr. GRAMS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 236, a bill to abolish the Department of Energy, and for other purposes.

S. 887

At the request of Ms. MOSELEY-BRAUN, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 887, a bill to establish in the National Park Service the National Underground Railroad Network to Freedom program, and for other purposes.

S. 981

At the request of Mr. LEVIN, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 981, a bill to provide for analysis of major rules.

S. 1069

At the request of Mr. MURKOWSKI, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1069, a bill entitled the "National Discovery Trails Act of 1997."

S. 1141

At the request of Mr. JOHNSON, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 1141, a bill to amend the Energy Policy Act of 1992 to take into account newly developed renewable energy-based fuels and to equalize alternative fuel vehicle acquisition incentives to increase the flexibility of controlled fleet owners and operators, and for other purposes.

S. 1251

At the request of Mr. D'AMATO, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1251, a bill to amend the Internal Revenue Code of 1986 to increase the amount of private activity bonds which may be issued in each State, and to index such amount for inflation.

S. 1252

At the request of Mr. D'AMATO, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1252, a bill to amend the Internal Revenue Code of 1986 to increase the amount of low-income housing credits which may be allocated in each State, and to index such amount for inflation.

S. 1273

At the request of Mr. GRAHAM, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1273, a bill to amend title 10, United States Code, to expand the National Mail Order Pharmacy Program of the Department of Defense to include covered beneficiaries under the military health care system who are also entitled to medicare.

S. 1375

At the request of Mr. KOHL, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. 1375, a bill to promote energy conservation investments in Federal facilities, and for other purposes.

S. 1413

At the request of Mr. LUGAR, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 1413, a bill to provide a framework for consideration by the legislative and executive branches of unilateral economic sanctions.

S. 1525

At the request of Mr. SPECTER, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 1525, a bill to provide financial assistance for higher education to the dependents of Federal, State, and local public safety officers who are killed or permanently and totally disabled as the result of a traumatic injury sustained in the line of duty.

S. 1580

At the request of Mr. SHELBY, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1580, a bill to amend the Balanced Budget Act of 1997 to place an 18-month moratorium on the prohibition of payment under the medicare program for home health services consisting of venipuncture solely for the purpose of obtaining a blood sample, and to require the Secretary of Health and Human Services to study potential fraud and abuse under such program with respect to such services.

S. 1712

At the request of Mr. JEFFORDS, the names of the Senator from North Carolina (Mr. FAIRCLOTH) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 1712, a bill to amend title XXVII of the Public Health Service Act and part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 to improve the quality of health plans and provide protections for consumers enrolled in such plans.

S. 1774

At the request of Mr. LOTT, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 1774, a bill to amend the Consolidated Farm and Rural Development Act to authorize the Secretary of Agriculture to make guaranteed farm ownership loans and guaranteed farm operating loans of up to $600,000, and to increase the maximum loan amounts with inflation.

S. 1802

At the request of Mr. ASHCROFT, his name was added as a cosponsor of S. 1802, a bill to authorize appropriations for the Surface Transportation Board for fiscal years 1999, 2000, and 2001.

S. 1825

At the request of Mrs. MURRAY, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1825, a bill to amend title 10, United States Code, to provide sufficient funding to assure a minimum size for honor guard details at funerals of veterans of the Armed Forces, to establish the minimum size of such details, and for other purposes.

S. 1858

At the request of Mr. JEFFORDS, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1858, a bill to amend the Social Security Act to provide individuals with disabilities with incentives to become economically self-sufficient.

S. 1868

At the request of Mr. NICKLES, the names of the Senator from North Carolina (Mr. FAIRCLOTH) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. 1868, a bill to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted for their faith worldwide; to authorize United States actions in response to religious persecution worldwide; to establish an Ambassador at Large on International Religious Freedom within the Department of State, a Commission on International Religious Persecution, and a Special Adviser on International Religious Freedom within the National Security Council; and for other purposes.

S. 1900

At the request of Mr. D'AMATO, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 1900, a bill to establish a commission to examine issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and to make recommendations to the President on further action, and for other purposes.

S. 1907

At the request of Mr. DASCHLE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1907, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit for wetland restoration and conservation expenses.

S. 1963

At the request of Mr. THURMOND, the name of the Senator from North Carolina (Mr. FAIRCLOTH) was added as a cosponsor of S. 1963, a bill to amend title 10, United States Code, to permit certain beneficiaries of the military health care system to enroll in Federal employees health benefits plans.

S. 1970

At the request of Mr. ABRAHAM, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1970, a bill to require the Secretary of the Interior to establish a program to provide assistance in the conservation of neotropical migratory birds.

SENATE CONCURRENT RESOLUTION 75

At the request of Mr. FEINGOLD, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from South Dakota (Mr. DASCHLE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Idaho (Mr. KEMPTHORNE), the Senator from North Dakota (Mr. DORGAN), the Senator from North Dakota (Mr. CONRAD), the Senator from Nebraska (Mr. HAGEL), the Senator from Michigan (Mr. LEVIN), the Senator from Ohio (Mr. GLENN), and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of Senate Concurrent Resolution 75, a concurrent resolution honoring the sesquicentennial of Wisconsin statehood.

AMENDMENT NO. 2303

At the request of Mr. LEVIN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Illinois (Ms. MOSELEY-BRAUN) were added as cosponsors of amendment No. 2303 proposed to H.R. 2646, a bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

SENATE CONCURRENT RESOLUTION 90—TO ACKNOWLEDGE THE HISTORIC NORTHERN IRELAND PEACE AGREEMENT

Mr. DODD (for himself, Mr. KENNEDY, Mr. MOYNIHAN, Mr. DASCHLE, Mr. LEAHY, Mr. LAUTENBERG, Mr. KERRY, Mr. MACK, Mr. D'AMATO, and Mr. WELLSTONE) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 90

Whereas the people of Ireland have experienced civil conflict throughout their history with the latest phase, known as The Troubles, ongoing for the last thirty years;

Whereas this tragic history has cost the lives of thousands of men, women, and children, and has left a deep and profound legacy of suffering;

Whereas the governments of the Republic of Ireland and the United Kingdom have endeavored for many years to facilitate a peaceful resolution to the conflict in Northern Ireland; and such efforts, including the 1985 Anglo-Irish Agreement, the 1993 Joint Declaration, and the 1995 New Framework for Agreement, were important milestones in guiding the parties toward a political agreement;

Whereas the announced cessation of armed hostilities in 1994 by the Irish Republican Army and the Combined Loyalist Military Command created the opportunity for all-inclusive political discussions to occur;

Whereas representatives from Northern Ireland's political parties, pledging to adhere to the principles of non-violence, commenced all-party talks in June 1996, and those talks greatly intensified in the Spring of 1998 under the chairmanship of former United States Senator George Mitchell;

Whereas the active participation of British Prime Minister Tony Blair and Irish Taoiseach Bertie Ahern was indispensable to the success of negotiations;

Whereas the support and encouragement for the Northern Ireland peace process by President Clinton, on behalf of the United States, was also an important factor in the success of the negotiations;

Whereas on April 10, 1998, the political parties, together with the British and Irish Governments successfully concluded the Northern Ireland Peace Agreement;

Whereas people throughout the island will have an opportunity to approve or reject the final agreement during the May 22 referendums;

Whereas the British and Irish Governments have committed to making the necessary constitutional and other legal changes necessary to bring the agreement into effect after the referendum approval processes have been concluded: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), that it is the sense of the Congress that—

(1) All of the participants in the neogiations deserve congratulations for their willingness to make honorable compromises in order to reach an agreement that promises to end the tragic cycle of violence that has dominated Northern Ireland for decades;

(2) Prime Minister Tony Blair and Taoiseach Bertie Ahern deserve particular credit for their leadership and constant encouragement in support of the peace process;

(3) The American people can be especially proud of the contributions made by the United States in the quest for peace, including President Clinton's vision and determination to achieve peace in Northern Ireland and his personal commitment to remain an active supporter throughout the process;

(4) All friends of Ireland owe a lasting debt of gratitude to Senator George Mitchell for his dedication, courage, leadership, and wisdom in guiding the peace talks to a successful conclusion.

SENATE RESOLUTION 214—DIRECTING THE SECRETARY OF THE SENATE TO REQUEST THE HOUSE OF REPRESENTATIVES TO RETURN THE OFFICIAL PAPERS ON S. 414

Mrs. HUTCHISON submitted the following resolution; which was considered and agreed to:

S. RES. 215

Resolved, That the Secretary of the Senate is directed to request the House of Representatives to return to the Senate the official papers on S. 414, entitled "An Act to amend the Shipping Act of 1984 to encourage competition in international shipping and growth of United States exports, and for other purposes".

SEC. 2. Upon the return of the official papers from the House of Representatives, the Secretary of the Senate is directed to make the following change in the text of the bill, viz:

In the amendment of section 8(f) of the Shipping Act of 1984 by section 106(e) of the bill, insert a comma and "including limitations of liability for cargo loss or damage," after "practices".

AMENDMENTS SUBMITTED

THE EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

DODD (AND OTHERS) AMENDMENT NO. 2305

Mr. DODD (for himself, Mr. LEAHY, Mr. HARKIN, Mr. KENNEDY, Mr.

WELLSTONE, Mrs. BOXER, and Mr. REED) proposed an amendment to the bill (H.R. 2646) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes; as follows:

Strike section 101, and insert the following:

SEC. 101. FUNDING FOR PART B OF IDEA.

Any net revenue increases resulting from the enactment of title II that remain available, taking into account the provisions of this title, shall be used to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

BOXER (AND OTHERS) AMENDMENT NO. 2306

Mrs. BOXER (for herself, Mrs. MURRAY, Mr. BINGAMAN, Mr. JOHNSON, Mr. LIEBERMAN, Mr. SARBANES, Mr. KERRY, Mr. DODD, Mr. DURBIN, Mr. LEVIN, Mr. AKAKA, Mr. KOHL, Mr. WELLSTONE, Mr. BRYAN, Mr. KENNEDY, Mr. INOUYE, Mr. DASCHLE, Ms. MOSELEY-BRAUN, and Ms. MIKULSKI) proposed an amendment to the bill, H.R. 2646, supra; as follows:

At the end, add the following:

TITLE ___—AFTER SCHOOL EDUCATION AND SAFETY

SECTION ___01. SHORT TITLE.

This title may be cited as the "After School Education and Safety Act of 1998".

SEC. ___02. PURPOSE.

The purpose of this title is to improve academic and social outcomes for students by providing productive activities during after school hours.

SEC. ___03. FINDINGS.

Congress makes the following findings:

(1) Today's youth face far greater social risks than did their parents and grandparents.

(2) Students spend more of their waking hours alone, without supervision, companionship, or activity than the students spend in school.

(3) Law enforcement statistics show that youth who are ages 12 through 17 are most at risk of committing violent acts and being victims of violent acts between 3 p.m. and 6 p.m.

SEC. ___04. GOALS.

The goals of this title are as follows:

(1) To increase the academic success of students.

(2) To improve the intellectual, social, physical, and cultural skills of students.

(3) To promote safe and healthy environments for students.

(4) To prepare students for workforce participation.

(5) To provide alternatives to drug, alcohol, tobacco, and gang, activity.

SEC. ___05. DEFINITIONS.

In this title:

(1) SCHOOL.—The term "school" means a public kindergarten, or a public elementary school or secondary school, as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(2) SECRETARY.—The term "Secretary" means the Secretary of Education.

SEC. ___06. PROGRAM AUTHORIZED.

The Secretary is authorized to carry out a program under which the Secretary awards grants to schools to enable the schools to carry out the activities described in section ___07(a).

SEC. ___07. AUTHORIZED ACTIVITIES; REQUIREMENTS.

(a) AUTHORIZED ACTIVITIES.—

(1) REQUIRED.—Each school receiving a grant under this title shall carry out at least 2 of the following activities:

(A) Mentoring programs.

(B) Academic assistance.

(C) Recreational activities.

(D) Technology training.

(2) PERMISSIVE.—Each school receiving a grant under this title may carry out any of the following activities:

(A) Drug, alcohol, and gang prevention activities.

(B) Health and nutrition counseling.

(C) Job skills preparation activities.

(b) TIME.—A school shall provide the activities described in subsection (a) only after regular school hours during the school year.

(c) SPECIAL RULE.—Each school receiving a grant under this title shall carry out activities described in subsection (a) in a manner that reflects the specific needs of the population, students, and community to be served.

(d) LOCATION.—A school shall carry out the activities described in subsection (a) in a school building or other public facility designated by the school.

(e) ADMINISTRATION.—In carrying out the activities described in subsection (a), a school is encouraged—

(1) to request volunteers from the business and academic communities to serve as mentors or to assist in other ways;

(2) to request donations of computer equipment; and

(3) to work with State and local park and recreation agencies so that activities which are described in subsection (a) and carried out prior to the date of enactment of this Act are not duplicated by activities assisted under this title.

SEC. ___08. APPLICATIONS.

Each school desiring a grant under this title shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each such application shall—

(1) identify how the goals set forth in section ___04 shall be met by the activities assisted under this title;

(2) provide evidence of collaborative efforts by students, parents, teachers, site administrators, and community members in the planning and administration of the activities;

(3) contain a description of how the activities will be administered;

(4) demonstrate how the activities will utilize or cooperate with publicly or privately funded programs in order to avoid duplication of activities in the community to be served;

(5) contain a description of the funding sources and in-kind contributions that will support the activities; and

(6) contain a plan for obtaining non-Federal funding for the activities.

SEC. ___09. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this title $50,000,000 for each of the fiscal years 1998 through 2002.

SEC. ___10. SENSE OF THE SENATE.

It is the sense of the Senate that funding to carry out this title should be provided by a reduction in certain function 920 allowances, as such reduction was provided in the Senate-passed budget resolution for fiscal year 1999.

DORGAN AMENDMENT NO. 2307

Mr. COVERDELL (for Mr. DORGAN) proposed an amendment to the bill, H.R. 2646, supra; as follows:

At the end, add the following:

SEC. . SAFER SCHOOLS.

(a) SHORT TITLE.—This section may be cited as the "Safer Schools Act of 1998".

(b) AMENDMENT.—Section 14601 of the Gun-Free Schools Act of 1994 (20 U.S.C. 8921) is amended by adding at the end the following new subsection:

"(g) For the purposes of this section, a weapon that has been determined to have been brought to a school by a student shall be admissible as evidence in any internal school disciplinary proceeding (related to an expulsion under this section.".

BINGAMAN (AND OTHERS) AMENDMENT NO. 2308

Mr. BINGAMAN (for himself and Mr. REID, Mrs. FEINSTEIN, Mr. CHAFEE, and Mr. BRYAN) proposed an amendment to the bill, H.R. 2646, supra; as follows:

At the end, add the following:

TITLE ___—DROPOUT PREVENTION AND STATE RESPONSIBILITIES

SEC. ___01. SHORT TITLE.

This title may be cited as the "National Dropout Prevention Act of 1998".

Subtitle A—Dropout Prevention

SEC. ___11. DROPOUT PREVENTION.

Part C of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7261 et seq.) is amended to read as follows:

"PART C—ASSISTANCE TO ADDRESS SCHOOL DROPOUT PROBLEMS

"Subpart 1—Coordinated National Strategy

"SEC. 5311. NATIONAL ACTIVITIES.

"(a) NATIONAL PRIORITY.—It shall be a national priority, for the 5-year period beginning on the date of enactment of the National Dropout Prevention Act of 1998, to lower the school dropout rate, and increase school completion, for middle school and secondary school students in accordance with Federal law. As part of this priority, all Federal agencies that carry out activities that serve students at risk of dropping out of school or that are intended to help address the school dropout problem shall make school dropout prevention a top priority in the agencies' funding priorities during the 5-year period.

"(b) ENHANCED DATA COLLECTION.—The Secretary shall collect systematic data on the participation of different racial and ethnic groups (including migrant and limited English proficient students) in all Federal programs.

"SEC. 5312. NATIONAL SCHOOL DROPOUT PREVENTION STRATEGY.

"(a) PLAN.—The Director shall develop, implement, and monitor an interagency plan (in this section referred to as the "plan") to assess the coordination, use of resources, and availability of funding under Federal law that can be used to address school dropout prevention, or middle school or secondary school reentry. The plan shall be completed and transmitted to the Secretary and Congress not later than 180 days after the first Director is appointed.

"(b) COORDINATION.—The plan shall address inter- and intra-agency program coordination issues at the Federal level with respect

to school dropout prevention and middle school and secondary school reentry, assess the targeting of existing Federal services to students who are most at risk of dropping out of school, and the cost-effectiveness of various programs and approaches used to address school dropout prevention.

"(c) AVAILABLE RESOURCES.—The plan shall also describe the ways in which State and local agencies can implement effective school dropout prevention programs using funds from a variety of Federal programs, including the programs under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6101 et seq.).

"(d) SCOPE.—The plan will address all Federal programs with school dropout prevention or school reentry elements or objectives, programs under chapter 1 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–11 et seq.), title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6101 et seq.), and part B of title IV of the Job Training Partnership Act (29 U.S.C. 1691 et seq.), and other programs.

"SEC. 5313. NATIONAL CLEARINGHOUSE.

"Not later than 6 months after the date of enactment of the National Dropout Prevention Act of 1998, the Director shall establish a national clearinghouse on effective school dropout prevention, intervention and reentry programs. The clearinghouse shall be established through a competitive grant or contract awarded to an organization with a demonstrated capacity to provide technical assistance and disseminate information in the area of school dropout prevention, intervention, and reentry programs. The clearinghouse shall—

"(1) collect and disseminate to educators, parents, and policymakers information on research, effective programs, best practices, and available Federal resources with respect to school dropout prevention, intervention, and reentry programs, including dissemination by an electronically accessible database, a worldwide Web site, and a national journal; and

"(2) provide technical assistance regarding securing resources with respect to, and designing and implementing, effective and comprehensive school dropout prevention, intervention, and reentry programs.

"SEC. 5314. NATIONAL RECOGNITION PROGRAM.

"(a) IN GENERAL.—The Director shall carry out a national recognition program that recognizes schools that have made extraordinary progress in lowering school dropout rates under which a public middle school or secondary school from each State will be recognized. The Director shall use uniform national guidelines that are developed by the Director for the recognition program and shall recognize schools from nominations submitted by State educational agencies.

"(b) ELIGIBLE SCHOOLS.—The Director may recognize any public middle school or secondary school (including a charter school) that has implemented comprehensive reforms regarding the lowering of school dropout rates for all students at that school.

"(c) SUPPORT.—The Director may make monetary awards to schools recognized under this section, in amounts determined by the Director. Amounts received under this section shall be used for dissemination activities within the school district or nationally.

"Subpart 2—National School Dropout Prevention Initiative

"SEC. 5321. FINDINGS.

"Congress finds that, in order to lower dropout rates and raise academic achievement levels, improved and redesigned schools must—

"(1) challenge all children to attain their highest academic potential; and

"(2) ensure that all students have substantial and ongoing opportunities to—

"(A) achieve high levels of academic and technical skills;

"(B) prepare for college and careers;

"(C) learn by doing;

"(D) work with teachers in small schools within schools;

"(E) receive ongoing support from adult mentors;

"(F) access a wide variety of information about careers and postsecondary education and training;

"(G) use technology to enhance and motivate learning; and

"(H) benefit from strong links among middle schools, secondary schools, and postsecondary institutions.

"SEC. 5322. PROGRAM AUTHORIZED.

"(a) ALLOTMENTS TO STATES.—

"(1) IN GENERAL.—From the sum made available under section 5332(b) for a fiscal year the Secretary shall make an allotment to each State in an amount that bears the same relation to the sum as the amount the State received under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the preceding fiscal year bears to the amount received by all States under such title for the preceding fiscal year.

"(2) DEFINITION OF STATE.—In this subpart, the term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

"(b) GRANTS.—From amounts made available to a State under subsection (a), the State educational agency may award grants to public middle schools or secondary schools, that have school dropout rates which are in the highest ⅓ of all school dropout rates in the State, to enable the schools to pay only the startup and implementation costs of effective, sustainable, coordinated, and whole school dropout prevention programs that involve activities such as—

"(1) professional development;

"(2) obtaining curricular materials;

"(3) release time for professional staff;

"(4) planning and research;

"(5) remedial education;

"(6) reduction in pupil-to-teacher ratios;

"(7) efforts to meet State student achievement standards; and

"(8) counseling for at-risk students.

"(c) INTENT OF CONGRESS.—It is the intent of Congress that the activities started or implemented under subsection (a) shall be continued with funding provided under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

"(d) AMOUNT.—

"(1) IN GENERAL.—Subject to subsection (e) and except as provided in paragraph (2), a grant under this subpart shall be awarded—

"(A) in the first year that a school receives a grant payment under this subpart, in an amount that is not less than $50,000 and not more than $100,000, based on factors such as—

"(i) school size;

"(ii) costs of the model being implemented; and

"(iii) local cost factors such as poverty rates;

"(B) in the second such year, in an amount that is not less than 75 percent of the amount the school received under this subpart in the first such year;

"(C) in the third year, in an amount that is not less than 50 percent of the amount the school received under this subpart in the first such year; and

"(D) in each succeeding year in an amount that is not less than 30 percent of the amount the school received under this subpart in the first such year.

"(2) INCREASES.—The Director shall increase the amount awarded to a school under this subpart by 10 percent if the school creates smaller learning communities within the school and the creation is certified by the State educational agency.

"(e) DURATION.—A grant under this subpart shall be awarded for a period of 3 years, and may be continued for a period of 2 additional years if the State educational agency determines, based on the annual reports described in section 5328(a), that significant progress has been made in lowering the school dropout rate for students participating in the program assisted under this subpart compared to students at similar schools who are not participating in the program.

"SEC. 5323. STRATEGIES AND ALLOWABLE MODELS.

"(a) STRATEGIES.—Each school receiving a grant under this subpart shall implement research-based, sustainable, and widely replicated, strategies for school dropout prevention and reentry that address the needs of an entire school population rather than a subset of students. The strategies may include—

"(1) specific strategies for targeted purposes; and

"(2) approaches such as breaking larger schools down into smaller learning communities and other comprehensive reform approaches, developing clear linkages to career skills and employment, and addressing specific gatekeeper hurdles that often limit student retention and academic success.

"(b) ALLOWABLE MODELS.—The Director shall annually establish and publish in the Federal Register the principles, criteria, models, and other parameters regarding the types of effective, proven program models that are allowed to be used under this subpart, based on existing research.

"(c) CAPACITY BUILDING.—

"(1) IN GENERAL.—The Director, through a contract with a non-Federal entity, shall conduct a capacity building and design initiative in order to increase the types of proven strategies for dropout prevention on a schoolwide level.

"(2) NUMBER AND DURATION.—

"(A) NUMBER.—The Director shall award not more than 5 contracts under this subsection.

"(B) DURATION.—The Director shall award a contract under this section for a period of not more than 5 years.

"(d) SUPPORT FOR EXISTING REFORM NETWORKS.—

"(1) IN GENERAL.—The Director shall provide appropriate support to eligible entities to enable the eligible entities to provide training, materials, development, and staff assistance to schools assisted under this subpart.

"(2) DEFINITION OF ELIGIBLE ENTITY.—The term 'eligible entity' means an entity that, prior to the date of enactment of the National Dropout Prevention Act of 1998—

"(A) provided training, technical assistance, and materials to 100 or more elementary schools or secondary schools; and

"(B) developed and published a specific educational program or design for use by the schools.

"SEC. 5324. SELECTION OF SCHOOLS.

"(a) SCHOOL APPLICATION.—

"(1) IN GENERAL.—Each school desiring a grant under this subpart shall submit an application to the State educational agency at such time, in such manner, and accompanied by such information as the State educational agency may require.

"(2) CONTENTS.—Each application submitted under paragraph (1) shall—

"(A) contain a certification from the local educational agency serving the school that—

"(i) the school has the highest number or rates of school dropouts in the age group served by the local educational agency;

"(ii) the local educational agency is committed to providing ongoing operational support, for the school's comprehensive reform plan to address the problem of school dropouts, for a period of 5 years; and

"(iii) the local educational agency will support the plan, including—

"(I) release time for teacher training;

"(II) efforts to coordinate activities for feeder schools; and

"(III) encouraging other schools served by the local educational agency to participate in the plan;

"(B) demonstrate that the faculty and administration of the school have agreed to apply for assistance under this subpart, and provide evidence of the school's willingness and ability to use the funds under this subpart, including providing an assurance of the support of 80 percent or more of the professional staff at the school;

"(C) describe the instructional strategies to be implemented, how the strategies will serve all students, and the effectiveness of the strategies;

"(D) describe a budget and timeline for implementing the strategies;

"(E) contain evidence of interaction with an eligible entity described in section 5323(d)(2);

"(F) contain evidence of coordination with existing resources;

"(G) provide an assurance that funds provided under this subpart will supplement and not supplant other Federal, State, and local funds;

"(H) describe how the activities to be assisted conform with an allowable model described in section 5323(b); and

"(I) demonstrate that the school and local educational agency have agreed to conduct a schoolwide program under 1114.

"(b) STATE AGENCY REVIEW AND AWARD.—The State educational agency shall review applications and award grants to schools under subsection (a) according to a review by a panel of experts on school dropout prevention.

"(c) CRITERIA.—The Director shall establish clear and specific selection criteria for awarding grants to schools under this subpart. Such criteria shall be based on school dropout rates and other relevant factors for State educational agencies to use in determining the number of grants to award and the type of schools to be awarded grants.

"(d) ELIGIBILITY.—

"(1) IN GENERAL.—A school is eligible to receive a grant under this subpart if the school is—

"(A) a public school—

"(i) that is eligible to receive assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), including a comprehensive secondary school, a vocational or technical secondary school, and a charter school; and

"(ii)(I) that serves students 50 percent or more of whom are low-income individuals; or

"(II) with respect to which the feeder schools that provide the majority of the incoming students to the school serve students 50 percent or more of whom are low-income individuals; or

"(B) is participating in a schoolwide program under section 1114 during the grant period.

"(2) OTHER SCHOOLS.—A private or parochial school, an alternative school, or a school within a school, is not eligible to receive a grant under this subpart, but an alternative school or school within a school may be served under this subpart as part of a whole school reform effort within an entire school building.

"(e) COMMUNITY-BASED ORGANIZATIONS.—A school that receives a grant under this subpart may use the grant funds to secure necessary services from a community-based organization, including private sector entities, if—

"(1) the school approves the use;

"(2) the funds are used to provide school dropout prevention and reentry activities related to schoolwide efforts; and

"(3) the community-based organization has demonstrated the organization's ability to provide effective services as described in section 107(a) of the Job Training Partnership Act (29 U.S.C. 1517(a)).

"(f) COORDINATION.—Each school that receives a grant under this subpart shall coordinate the activities assisted under this subpart with other Federal programs, such as programs assisted under chapter 1 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–11 et seq.) and the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6101 et seq.).

"SEC. 5325. DISSEMINATION ACTIVITIES.

"Each school that receives a grant under this subpart shall provide information and technical assistance to other schools within the school district, including presentations, document-sharing, and joint staff development.

"SEC. 5326. PROGRESS INCENTIVES.

"Notwithstanding any other provision of law, each local educational agency that receives funds under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) shall use such funding to provide assistance to schools served by the agency that have not made progress toward lowering school dropout rates after receiving assistance under this subpart for 2 fiscal years.

"SEC. 5327. SCHOOL DROPOUT RATE CALCULATION.

"For purposes of calculating a school dropout rate under this subpart, a school shall use—

"(1) the annual event school dropout rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistics' Common Core of Data, if available; or

"(2) in other cases, a standard method for calculating the school dropout rate as determined by the State educational agency.

"SEC. 5328. REPORTING AND ACCOUNTABILITY.

"(a) REPORTING.—In order to receive funding under this subpart for a fiscal year after the first fiscal year a school receives funding under this subpart, the school shall provide, on an annual basis, to the Director a report regarding the status of the implementation of activities funded under this subpart, the disaggregated outcome data for students at schools assisted under this subpart such as dropout rates, and certification of progress from the eligible entity whose strategies the school is implementing.

"(b) ACCOUNTABILITY.—On the basis of the reports submitted under subsection (a), the Director shall evaluate the effect of the activities assisted under this subpart on school dropout prevention compared to a control group.

"SEC. 5329. PROHIBITION ON TRACKING.

"(a) IN GENERAL.—A school shall be ineligible to receive funding under this subpart for a fiscal year, if the school—

"(1) has in place a general education track;

"(2) provides courses with significantly different material and requirements to students at the same grade level; or

"(3) fails to encourage all students to take a core curriculum of courses.

"(b) REGULATIONS.—The Secretary shall promulgate regulations implementing subsection (a).

"Subpart 3—Definitions; Authorization of Appropriations

"SEC. 5331. DEFINITIONS.

"In this Act:

"(1) DIRECTOR.—The term "Director" means the Director of the Office of Dropout Prevention and Program Completion established under section 219 of the General Education Provisions Act.

"(2) LOW-INCOME.—The term "low-income", used with respect to an individual, means an individual determined to be low-income in accordance with measures described in section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)).

"(3) SCHOOL DROPOUT.—The term "school dropout" has the meaning given the term in section 4(17) of the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6103(17)).

"SEC. 5332. AUTHORIZATION OF APPROPRIATIONS.

"(a) SUBPART 1.—There are authorized to be appropriated to carry out subpart 1, $5,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.

"(b) SUBPART 2.—There are authorized to be appropriated to carry out subpart 2, $145,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years, of which—

"(1) $125,000,000 shall be available to carry out section 5322; and

"(2) $20,000,000 shall be available to carry out section 5323.".

SEC. __12. OFFICE OF DROPOUT PREVENTION AND PROGRAM COMPLETION.

Title II of the Department of Education Organization Act (20 U.S.C. 3411) is amended—

(1) by redesignating section 216 (as added by Public Law 103–227) as section 218; and

(2) by adding after section 218 (as redesignated by paragraph (1)) the following:

"OFFICE OF DROPOUT PREVENTION AND PROGRAM COMPLETION

"SEC. 219. (a) ESTABLISHMENT.—There shall be in the Department of Education an Office of Dropout Prevention and Program Completion (hereafter in this section referred to as the 'Office'), to be administered by the Director of the Office of Dropout Prevention and Program Completion. The Director of the Office shall report directly to the Secretary and shall perform such additional functions as the Secretary may prescribe.

"(b) DUTIES.—The Director of the Office of Dropout Prevention and Program Completion (hereafter in this section referred to as the 'Director'), through the Office, shall—

"(1) help coordinate Federal, State, and local efforts to lower school dropout rates and increase program completion by middle school, secondary school, and college students;

"(2) recommend Federal policies, objectives, and priorities to lower school dropout rates and increase program completion;

"(3) oversee the implementation of subpart 2 of part C of title V of the Elementary and Secondary Education Act of 1965;

"(4) develop and implement the National School Dropout Prevention Strategy under section 5312 of the Elementary and Secondary Education Act of 1965;

"(5) annually prepare and submit to Congress and the Secretary a national report describing efforts and recommended actions regarding school dropout prevention and program completion;

"(6) recommend action to the Secretary and the President, as appropriate, regarding school dropout prevention and program completion; and

"(7) consult with and assist State and local governments regarding school dropout prevention and program completion.

"(c) SCOPE OF DUTIES.—The scope of the Director's duties under subsection (b) shall include examination of all Federal and non-Federal efforts related to—

"(1) promoting program completion for children attending middle school or secondary school;

"(2) programs to obtain a secondary school diploma or its recognized equivalent (including general equivalency diploma (GED) programs), or college degree programs; and

"(3) reentry programs for individuals aged 12 to 24 who are out of school.

"(d) DETAILING.—In carrying out the Director's duties under this section, the Director may request the head of any Federal department or agency to detail personnel who are engaged in school dropout prevention activities to another Federal department or agency in order to implement the National School Dropout Prevention Strategy.".

Subtitle B—State Responsibilities

SEC. __21. STATE RESPONSIBILITIES.

Title XIV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801 et seq.) is amended by adding at the end the following:

"PART I—DROPOUT PREVENTION

"SEC. 14851. DROPOUT PREVENTION.

"In order to receive any assistance under this Act, a State educational agency shall comply with the following provisions regarding school dropouts:

"(1) UNIFORM DATA COLLECTION.—Within 1 year after the date of enactment of the National Dropout Prevention Act of 1998, a State educational agency shall report to the Secretary and statewide, all school district and school data regarding school dropout rates in the State, and demographic breakdowns, according to procedures that conform with the National Center for Education Statistics' Common Core of Data.

"(2) ATTENDANCE-NEUTRAL FUNDING POLICIES.—Within 2 years after the date of enactment of the National Dropout Prevention Act of 1998, a State educational agency shall develop and implement education funding formula policies for public schools that provide appropriate incentives to retain students in school throughout the school year, such as—

"(A) a student count methodology that does not determine annual budgets based on attendance on a single day early in the academic year; and

"(B) specific incentives for retaining enrolled students throughout each year.

"(3) SUSPENSION AND EXPULSION POLICIES.—Within 2 years after the date of enactment of the National Dropout Prevention Act of 1998, a State educational agency shall develop uniform, long-term suspension and expulsion policies for serious infractions resulting in more than 10 days of exclusion from school per academic year so that similar violations result in similar penalties.".

COVERDELL AMENDMENT NO. 2309

Mr. COVERDELL proposed an amendment to the bill, H.R. 2646, supra; as follows:

At the appropriate place, insert the following:

TITLE ___—READING EXCELLENCE

SEC. ___01. SHORT TITLE.

This title may be cited as the "Reading Excellence Act".

Subtitle A—Reading Grants

SEC. ___11. AMENDMENT TO ESEA FOR READING GRANTS.

Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

(1) by redesignating part D as part E; and

(2) by inserting after part C the following:

"PART D—READING GRANTS

"SEC. 2351. PURPOSE.

"The purposes of this part are as follows:

"(1) To teach every child to read in their early childhood years—

"(A) as soon as they are ready to read; or

"(B) as soon as possible once they enter school, but not later than 3d grade.

"(2) To improve the reading skills of students, and the in-service instructional practices for teachers who teach reading, through the use of findings from reliable, replicable research on reading, including phonics.

"(3) To expand the number of high-quality family literacy programs.

"(4) To reduce the number of children who are inappropriately referred to special education due to reading difficulties.

"SEC. 2352. DEFINITIONS.

"For purposes of this part:

"(1) ELIGIBLE PROFESSIONAL DEVELOPMENT PROVIDER.—The term 'eligible professional development provider' means a provider of professional development in reading instruction to teachers that is based on reliable, replicable research on reading.

"(2) ELIGIBLE RESEARCH INSTITUTION.—The term 'eligible research institution' means an institution of higher education at which reliable, replicable research on reading has been conducted.

"(3) FAMILY LITERACY SERVICES.—The term 'family literacy services' means services provided to participants on a voluntary basis that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family (such as eliminating or reducing welfare dependency) and that integrate all of the following activities:

"(A) Interactive literacy activities between parents and their children.

"(B) Equipping parents to partner with their children in learning.

"(C) Parent literacy training, including training that contributes to economic self-sufficiency.

"(D) Appropriate instruction for children of parents receiving parent literacy services.

"(4) READING.—The term 'reading' means the process of comprehending the meaning of written text by depending on—

"(A) the ability to use phonics skills, that is, knowledge of letters and sounds, to decode printed words quickly and effortlessly, both silently and aloud;

"(B) the ability to use previously learned strategies for reading comprehension; and

"(C) the ability to think critically about the meaning, message, and aesthetic value of the text.

"(5) READING READINESS.—The term 'reading readiness' means activities that—

"(A) provide experience and opportunity for language development;

"(B) create appreciation of the written word;

"(C) develop an awareness of printed language, the alphabet, and phonemic awareness; and

"(D) develop an understanding that spoken and written language is made up of phonemes, syllables, and words.

"(6) RELIABLE, REPLICABLE RESEARCH.—The term 'reliable, replicable research' means objective, valid, scientific studies that—

"(A) include rigorously defined samples of subjects that are sufficiently large and representative to support the general conclusions drawn;

"(B) rely on measurements that meet established standards of reliability and validity;

"(C) test competing theories, where multiple theories exist;

"(D) are subjected to peer review before their results are published; and

"(E) discover effective strategies for improving reading skills.

"SEC. 2353. GRANTS TO READING AND LITERACY PARTNERSHIPS.

"(a) PROGRAM AUTHORIZED.—The Secretary may make grants on a competitive basis to reading and literacy partnerships for the purpose of permitting such partnerships to make subgrants under sections 2354 and 2355.

"(b) READING AND LITERACY PARTNERSHIPS.—

"(1) COMPOSITION.—

"(A) REQUIRED PARTICIPANTS.—In order to receive a grant under this section, a State shall establish a reading and literacy partnership consisting of at least the following participants:

"(i) The Governor of the State.

"(ii) The chief State school officer.

"(iii) The chairman and the ranking member of each committee of the State legislature that is responsible for education policy.

"(iv) A representative, selected jointly by the Governor and the chief State school officer, of at least 1 local educational agency that has at least 1 school that is identified for school improvement under section 1116(c) in the geographic area served by the agency.

"(v) A representative, selected jointly by the Governor and the chief State school officer, of a community-based organization working with children to improve their reading skills, particularly a community-based organization using volunteers.

"(B) OPTIONAL PARTICIPANTS.—A reading and literacy partnership may include additional participants, who shall be selected jointly by the Governor and the chief State school officer, which may include—

"(i) State directors of appropriate Federal or State programs with a strong reading component;

"(ii) a parent of a public or private school student or a parent who educates their child or children in their home;

"(iii) a teacher who teaches reading; or

"(iv) a representative of (I) an institution of higher education operating a program of teacher preparation in the State; (II) a local educational agency; (III) an eligible research institution; (IV) a private nonprofit or for-profit eligible professional development provider providing instruction based on reliable, replicable research on reading; (V) a family literacy service provider; (VI) an adult education provider; (VII) a volunteer organization that is involved in reading programs; or (VIII) a school or a public library that offers reading or literacy programs for children or families.

"(2) AGREEMENT.—The contractual agreement that establishes a reading and literacy partnership—

"(A) shall specify—

"(i) the nature and extent of the association among the participants referred to in paragraph (1); and

"(ii) the roles and duties of each such participant; and

"(B) shall remain in effect during the entire grant period proposed in the partnership's grant application under subsection (e).

"(3) FUNCTIONS.—Each reading and literacy partnership for a State shall prepare and submit an application under subsection (e) and, if the partnership receives a grant under this section—

"(A) shall solicit applications for, and award, subgrants under sections 2354 and 2355;

"(B) shall oversee the performance of the subgrants and submit performance reports in accordance with subsection (h);

"(C) if sufficient grant funds are available under this part—

"(i) work to enhance the capacity of agencies in the State to disseminate reliable, replicable research on reading to schools, classrooms, and providers of early education and child care;

"(ii) facilitate the provision of technical assistance to subgrantees under sections 2354 and 2355 by providing the subgrantees information about technical assistance providers; and

"(iii) build on, and promote coordination among, literacy programs in the State, in order to increase their effectiveness and to avoid duplication of their efforts; and

"(D) shall ensure that each local educational agency to which the partnership makes a subgrant under section 2354 makes available, upon request and in an understandable and uniform format, to any parent of a student attending any school selected under section 2354(a)(2) in the geographic area served by the agency, information regarding the qualifications of the student's classroom teacher to provide instruction in reading.

"(4) FISCAL AGENT.—The State educational agency shall act as the fiscal agent for the reading and literacy partnership for the purposes of receipt of funds from the Secretary, disbursement of funds to subgrantees under sections 2354 and 2355, and accounting for such funds.

"(c) PREEXISTING PARTNERSHIP.—If, before the date of the enactment of the Reading Excellence Act, a State established a consortium, partnership, or any other similar body, that includes the Governor and the chief State school officer and has, as a central part of its mission, the promotion of literacy for children in their early childhood years through the 3d grade, but that does not satisfy the requirements of subsection (b)(1), the State may elect to treat that consortium, partnership, or body as the reading and literacy partnership for the State notwithstanding such subsection, and the consortium, partnership, or body shall be considered a reading and literacy partnership for purposes of the other provisions of this part.

"(d) MULTI-STATE PARTNERSHIP ARRANGEMENTS.—A reading and literacy partnership that satisfies the requirements of subsection (b) may join with other such partnerships in other States to develop a single application that satisfies the requirements of subsection (e) and identifies which State educational agency, from among the States joining, shall act as the fiscal agent for the multi-State arrangement. For purposes of the other provisions of this part, any such multi-State arrangement shall be considered to be a reading and literacy partnership.

"(e) APPLICATIONS.—A reading and literacy partnership that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and including such information as the Secretary may require. The application—

"(1) shall describe how the partnership will ensure that 95 percent of the grant funds are used to make subgrants under sections 2354 and 2355;

"(2) shall be integrated, to the maximum extent possible, with State plans and programs under this Act, the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), and, to the extent appropriate, the Adult Education Act (20 U.S.C. 1201 et seq.);

"(3) shall describe how the partnership will ensure that professional development funds available at the State and local levels are used effectively to improve instructional practices for reading and are based on reliable, replicable research on reading;

"(4) shall describe—

"(A) the contractual agreement that establishes the partnership, including at least the elements of the agreement referred to in subsection (b)(2);

"(B) how the partnership will assess, on a regular basis, the extent to which the activities undertaken by the partnership and the partnership's subgrantees under this part have been effective in achieving the purposes of this part;

"(C) what evaluation instruments the partnership will use to determine the success of local educational agencies to whom subgrants under sections 2354 and 2355 are made in achieving the purposes of this part;

"(D) how subgrants made by the partnership under such sections will meet the requirements of this part, including how the partnership will ensure that subgrantees will use practices based on reliable, replicable research on reading; and

"(E) how the partnership will, to the extent practicable, make grants to subgrantees in both rural and urban areas;

"(5) shall include an assurance that each local educational agency to whom the partnership makes a subgrant under section 2354—

"(A) will carry out family literacy programs based on the Even Start family literacy model authorized under part B of title I to enable parents to be their child's first and most important teacher, and will make payments for the receipt of technical assistance for the development of such programs;

"(B) will carry out programs to assist those kindergarten students who are not ready for the transition to 1st grade, particularly students experiencing difficulty with reading skills;

"(C) will use supervised individuals (including tutors), who have been appropriately trained using reliable, replicable research on reading, to provide additional support, before school, after school, on weekends, during non-instructional periods of the school day, or during the summer, for students in grades 1 through 3 who are experiencing difficulty reading; and

"(D) will carry out professional development for the classroom teacher and other appropriate teaching staff on the teaching of reading based on reliable, replicable research on reading; and

"(6) shall describe how the partnership—

"(A) will ensure that a portion of the grant funds that the partnership receives in each fiscal year will be used to make subgrants under section 2355; and

"(B) will make local educational agencies described in section 2355(a)(1) aware of the availability of such subgrants.

"(f) PEER REVIEW PANEL.—

"(1) COMPOSITION OF PEER REVIEW PANEL.—

"(A) IN GENERAL.—The National Institute for Literacy, in consultation with the National Research Council of the National Academy of Sciences, the National Institute of Child Health and Human Development, and the Secretary, shall convene a panel to evaluate applications under this section. At a minimum the panel shall include representatives of the National Institute for Literacy, the National Research Council of the National Academy of Sciences, the National Institute of Child Health and Human Development, and the Secretary.

"(B) EXPERTS.—The panel shall include experts who are competent, by virtue of their training, expertise, or experience, to evaluate applications under this section, and experts who provide professional development to teachers of reading to children and adults, based on reliable, replicable research on reading.

"(C) LIMITATION.—Not more than ⅓ of the panel may be composed of individuals who are employees of the Federal Government.

"(2) PAYMENT OF FEES AND EXPENSES OF CERTAIN MEMBERS.—The Secretary shall use funds reserved under section 2260(b)(2) to pay the expenses and fees of panel members who are not employees of the Federal Government.

"(3) DUTIES OF PANEL.—

"(A) MODEL APPLICATION FORMS.—The peer review panel shall develop a model application form for reading and literacy partnerships desiring to apply for a grant under this section. The peer review panel shall submit the model application form to the Secretary for final approval.

"(B) SELECTION OF APPLICATIONS.—

"(i) RECOMMENDATIONS OF PANEL.—

"(I) IN GENERAL.—The Secretary shall receive grant applications from reading and literacy partnerships under this section and shall provide the applications to the peer review panel for evaluation. With respect to each application, the peer review panel shall initially recommend the application for funding or for disapproval.

"(II) PRIORITY.—In recommending applications to the Secretary, the panel shall give priority to applications from States that have modified, are modifying, or provide an assurance that not later than 1 year after receiving a grant under this section the State will modify, State teacher certification in the area of reading to reflect reliable, replicable research, except that nothing in this part shall be construed to establish a national system of teacher certification.

"(III) RANKING OF APPLICATIONS.—With respect to each application recommended for funding, the panel shall assign the application a rank, relative to other recommended

applications, based on the priority described in subclause (II), the extent to which the application furthers the purposes of this part, and the overall quality of the application.

"(IV) RECOMMENDATION OF AMOUNT.—With respect to each application recommended for funding, the panel shall make a recommendation to the Secretary with respect to the amount of the grant that should be made.

"(ii) SECRETARIAL SELECTION.—

"(I) IN GENERAL.—Subject to clause (iii), the Secretary shall determine, based on the peer review panel's recommendations, which applications from reading and literacy partnerships shall receive funding and the amounts of such grants. In determining grant amounts, the Secretary shall take into account the total amount of funds available for all grants under this section and the types of activities proposed to be carried out by the partnership.

"(II) EFFECT OF RANKING BY PANEL.—In making grants under this section, the Secretary shall select applications according to the ranking of the applications by the peer review panel, except in cases where the Secretary determines, for good cause, that a variation from that order is appropriate.

"(iii) MINIMUM GRANT AMOUNTS.—Each reading and literacy partnership selected to receive a grant under this section shall receive an amount for each fiscal year that is not less than $100,000.

"(g) LIMITATION ON ADMINISTRATIVE EXPENSES.—A reading and literacy partnership that receives a grant under this section may use not more than 3 percent of the grant funds for administrative costs.

"(h) REPORTING.—

"(1) IN GENERAL.—A reading and literacy partnership that receives a grant under this section shall submit performance reports to the Secretary pursuant to a schedule to be determined by the Secretary, but not more frequently than annually. Such reports shall include—

"(A) the results of use of the evaluation instruments referred to in subsection (e)(4)(C);

"(B) the process used to select subgrantees;

"(C) a description of the subgrantees receiving funds under this part; and

"(D) with respect to subgrants under section 2354, the model or models of reading instruction, based on reliable, replicable research on reading, selected by subgrantees.

"(2) PROVISION TO PEER REVIEW PANEL.—The Secretary shall provide the reports submitted under paragraph (1) to the peer review panel convened under subsection (f). The panel shall use such reports in recommending applications for funding under this section.

"SEC. 2354. LOCAL READING IMPROVEMENT SUBGRANTS.

"(a) IN GENERAL.—

"(1) SUBGRANTS.—A reading and literacy partnership that receives a grant under section 2353 shall make subgrants, on a competitive basis, to local educational agencies that have at least 1 school that is identified for school improvement under section 1116(c) in the geographic area served by the agency.

"(2) ROLE OF LOCAL EDUCATIONAL AGENCIES.—A local educational agency that receives a subgrant under this section shall use the subgrant in a manner consistent with this section to advance reform of reading instruction in any school selected by the agency that—

"(A) is identified for school improvement under section 1116(c) at the time the agency receives the subgrant; and

"(B) has a contractual association with 1 or more community-based organizations that have established a record of effectiveness with respect to reading readiness, reading instruction for children in kindergarten through 3d grade, and early childhood literacy.

"(b) GRANT PERIOD.—A subgrant under this section shall be for a period of 3 years and may not be revoked or terminated on the ground that a school ceases, during the grant period, to be identified for school improvement under section 1116(c).

"(c) APPLICATIONS.—A local educational agency that desires to receive a subgrant under this section shall submit an application to the reading and literacy partnership at such time, in such manner, and including such information as the partnership may require. The application—

"(1) shall describe how the local educational agency will work with schools selected by the agency under subsection (a)(2) to select 1 or more models of reading instruction, developed using reliable, replicable research on reading, as a model for implementing and improving reading instruction by all teachers and for all children in each of the schools selected by the agency under such subsection and, where appropriate, their parents;

"(2) shall select 1 or more models described in paragraph (1), for the purpose described in such paragraph, and shall describe each such selected model;

"(3) shall demonstrate that a person responsible for the development of each such model, or a person with experience or expertise about such model and its implementation, has agreed to work with the applicant in connection with such implementation and improvement efforts;

"(4) shall describe—

"(A) how the applicant will ensure that funds available under this part, and funds available for reading for grades kindergarten through grade 6 from other appropriate sources, are effectively coordinated and, where appropriate, integrated, with funds under this Act in order to improve existing activities in the areas of reading instruction, professional development, program improvement, parental involvement, technical assistance, and other activities that can help meet the purposes of this part; and

"(B) the amount of funds available for reading for grades kindergarten through grade 6 from appropriate sources other than this part, including title I (except that such description shall not be required to include funds made available under part B of title I unless the applicant has established a contractual association in accordance with subsection (d)(2) with an eligible entity under such part B), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), and any other law providing Federal financial assistance for professional development for teachers of such grades who teach reading, which will be used to help achieve the purposes of this part;

"(5) shall describe the amount and nature of funds from any other public or private sources, including funds received under this Act and the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), that will be combined with funds received under the subgrant;

"(6) shall include an assurance that the applicant—

"(A) will carry out family literacy programs based on the Even Start family literacy model authorized under part B of title I to enable parents to be their child's first and most important teacher, will make payments for the receipt of technical assistance for the development of such programs;

"(B) will carry out programs to assist those kindergarten students who are not ready for the transition to 1st grade, particularly students experiencing difficulty with reading skills;

"(C) will use supervised individuals (including tutors), who have been appropriately trained using reliable, replicable research on reading, to provide additional support, before school, after school, on weekends, during non-instructional periods of the school day, or during the summer, for students in grades 1 through 3 who are experiencing difficulty reading; and

"(D) will carry out professional development for the classroom teacher and other teaching staff on the teaching of reading based on reliable, replicable research on reading;

"(7) shall describe how the local educational agency provides instruction in reading to children who have not been determined to be a child with a disability (as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401)), pursuant to section 614(b)(5) of such Act (20 U.S.C. 1414(a)(5)), because of a lack of instruction in reading; and

"(8) shall indicate the amount of the subgrant funds (if any) that the applicant will use to carry out the duties described in section 2355(b)(2).

"(d) PRIORITY.—In approving applications under this section, a reading and literacy partnership shall give priority to an application submitted by an applicant who demonstrates that the applicant has established—

"(1) a contractual association with 1 or more Head Start programs under the Head Start Act (42 U.S.C. 9801 et seq.) under which—

"(A) the Head Start program agrees to select the same model or models of reading instruction, as a model for implementing and improving the reading readiness of children participating in the program, as was selected by the applicant; and

"(B) the applicant agrees—

"(i) to share with the Head Start program an appropriate amount of the applicant's information resources with respect to the model, such as curricula materials; and

"(ii) to train personnel from the Head Start program;

"(2) a contractual association with 1 or more State- or federally-funded preschool programs, or family literacy programs, under which—

"(A) the program agrees to select the same model or models of reading instruction, as a model for implementing and improving reading instruction in the program's activities, as was selected by the applicant; and

"(B) the applicant agrees to train personnel from the program who work with children and parents in schools selected under subsection (a)(2); or

"(3) a contractual association with 1 or more public libraries providing reading or literacy services to preschool children, or preschool children and their families, under which—

"(A) the library agrees to select the same model or models of reading instruction, as a model for implementing and improving reading instruction in the library's reading or literacy programs, as was selected by the applicant; and

"(B) the applicant agrees to train personnel, including volunteers, from such programs who work with preschool children, or preschool children and their families, in schools selected under subsection (a)(2).

"(e) USE OF FUNDS.—

"(1) IN GENERAL.—Subject to paragraph (2), an applicant who receives a subgrant under this section may use the subgrant funds to carry out activities that are authorized by this part and described in the subgrant application, including the following:

"(A) Making reasonable payments for technical and other assistance to a person responsible for the development of a model of reading instruction, or a person with experience or expertise about such model and its implementation, who has agreed to work with the recipient in connection with the implementation of the model.

"(B) Carrying out a contractual agreement described in subsection (d).

"(C) Professional development (including training of volunteers), purchase of curricular and other supporting materials, and technical assistance.

"(D) Providing, on a voluntary basis, training to parents of children enrolled in a school selected under subsection (a)(2) on how to help their children with school work, particularly in the development of reading skills. Such training may be provided directly by the subgrant recipient, or through a grant or contract with another person. Such training shall be consistent with reading reforms taking place in the school setting.

"(E) Carrying out family literacy programs based on the Even Start family literacy model authorized under part B of title I to enable parents to be their child's first and most important teacher, and making payments for the receipt of technical assistance for the development of such programs.

"(F) Providing instruction for parents of children enrolled in a school selected under subsection (a)(2), and others who volunteer to be reading tutors for such children, in the instructional practices based on reliable, replicable research on reading used by the applicant.

"(G) Programs to assist those kindergarten students enrolled in a school selected under subsection (a)(2) who are not ready for the transition to 1st grade, particularly students experiencing difficulty with reading skills.

"(H) Providing, for students who are enrolled in grades 1 through 3 in a school selected under subsection (a)(2) and are experiencing difficulty reading, additional support before school, after school, on weekends, during non-instructional periods of the school day, or during the summer, using supervised individuals (including tutors) who have been appropriately trained using reliable, replicable research on reading.

"(I) Carrying out the duties described in section 2355(b)(2) for children enrolled in a school selected under subsection (a)(2).

"(J) Providing reading assistance to children who have not been determined to be a child with a disability (as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401)), pursuant to section 614(b)(5) of such Act (20 U.S.C. 1414(b)(5)), because of a lack of instruction in reading.

"(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A recipient of a subgrant under this section may use not more than 3 percent of the subgrant funds for administrative costs.

"(f) TRAINING NONRECIPIENTS.—A recipient of a subgrant under this section may train, on a fee-for-service basis, personnel who are from schools, or local educational agencies, that are not receiving such a subgrant in the instructional practices based on reliable, replicable research on reading used by the recipient. Such a non-recipient school may use funds received under title I, and other appropriate Federal funds used for reading instruction, to pay for such training, to the extent consistent with the law under which such funds were received.

"SEC. 2355. TUTORIAL ASSISTANCE SUBGRANTS.

"(a) IN GENERAL.—

"(1) SUBGRANTS.—A reading and literacy partnership that receives a grant under section 2353 shall make subgrants on a competitive basis to—

"(A) local educational agencies that have at least 1 school in the geographic area served by the agency that—

"(i) is located in an area designated as an empowerment zone under part I of subchapter U of chapter 1 of the Internal Revenue Code of 1986; or

"(ii) is located in an area designated as an enterprise community under part I of subchapter U of chapter 1 of the Internal Revenue Code of 1986; or

"(B) in the case of local educational agencies that do not have any such empowerment zone or enterprise community in the State in which the agency is located, local educational agencies that have at least 1 school that is identified for school improvement under section 1116(c) in the geographic area served by the agency.

"(2) APPLICATIONS.—A local educational agency that desires to receive a subgrant under this section shall submit an application to the reading and literacy partnership at such time, in such manner, and including such information as the partnership may require. The application shall include an assurance that the agency will use the subgrant funds to carry out the duties described in subsection (b) for children enrolled in 1 or more schools selected by the agency and described in paragraph (1).

"(b) USE OF FUNDS.—

"(1) IN GENERAL.—A local educational agency that receives a subgrant under this section shall carry out, using the funds provided under the subgrant, each of the duties described in paragraph (2).

"(2) DUTIES.—The duties described in this paragraph are the provision of tutorial assistance in reading to children who have difficulty reading, using instructional practices based on the principles of reliable, replicable research, through the following:

"(A) The promulgation of a set of objective criteria, pertaining to the ability of a tutorial assistance provider successfully to provide tutorial assistance in reading, that will be used to determine in a uniform manner, at the beginning of each school year, the eligibility of tutorial assistance providers, subject to the succeeding subparagraphs of this paragraph, to be included on the list described in subparagraph (B) (and thereby be eligible to enter into a contract pursuant to subparagraph (F)).

"(B) The promulgation, maintenance, and approval of a list of tutorial assistance providers eligible to enter into a contract pursuant to subparagraph (F) who—

"(i) have established a record of effectiveness with respect to reading readiness, reading instruction for children in kindergarten through 3d grade, and early childhood literacy;

"(ii) are located in a geographic area convenient to the school or schools attended by the children who will be receiving tutorial assistance from the providers; and

"(iii) are capable of providing tutoring in reading to children who have difficulty reading, using instructional practices based on the principles of reliable, replicable research and consistent with the instructional methods used by the school the child attends.

"(C) The development of procedures (i) for the receipt of applications for tutorial assistance, from parents who are seeking such assistance for their child or children, that select a tutorial assistance provider from the list described in subparagraph (B) with whom the child or children will enroll, for tutoring in reading; and (ii) for considering children for tutorial assistance who are identified under subparagraph (D) and for whom no application has been submitted, provided that such procedures are in accordance with this paragraph and give such parents the right to select a tutorial assistance provider from the list referred to in subparagraph (B), and shall permit a local educational agency to recommend a tutorial assistance provider from the list under subparagraph (B) in a case where a parent asks for assistance in the making of such selection.

"(D) The development of a selection process for providing tutorial assistance in accordance with this paragraph that limits the provision of assistance to children identified, by the school the child attends, as having difficulty reading, including difficulty mastering essential phonic, decoding, or vocabulary skills. In the case of a child included in the selection process for whom no application has been submitted by a parent of the child, the child's eligibility for receipt of tutorial assistance shall be determined under the same procedures, timeframe, and criteria for consideration as is used to determine the eligibility of a child whose parent has submitted such an application. Such local educational agency shall apply the provisions of subparagraphs (F) and (G) to a tutorial assistance provider selected for a child whose parent has not submitted an application pursuant to subparagraph (C)(i) in the same manner as the provisions are applied to a provider selected in an application submitted pursuant to subparagraph (C)(i).

"(E) The development of procedures for selecting children to receive tutorial assistance, to be used in cases where insufficient funds are available to provide assistance with respect to all children identified by a school under subparagraph (D) that—

"(i) gives priority to children who are determined, through State or local reading assessments, to be most in need of tutorial assistance; and

"(ii) gives priority, in cases where children are determined, through State or local reading assessments, to be equally in need of tutorial assistance, based on a random selection principle.

"(F) The development of a methodology by which payments are made directly to tutorial assistance providers who are identified and selected pursuant to subparagraphs (C), (D), and (E). Such methodology shall include the making of a contract, consistent with State and local law, between the tutorial assistance provider and the local educational agency carrying out this paragraph. Such contract—

"(i) shall contain specific goals and timetables with respect to the performance of the tutorial assistance provider;

"(ii) shall require the tutorial assistance provider to report to the parent and the local educational agency on the provider's performance in meeting such goals and timetables; and

"(iii) shall contain provisions with respect to the making of payments to the tutorial assistance provider by the local educational agency.

"(G) The development of procedures under which the local educational agency carrying out this paragraph—

"(i) will ensure oversight of the quality and effectiveness of the tutorial assistance provided by each tutorial assistance provider that is selected for funding;

"(ii) will remove from the list under subparagraph (B) ineffective and unsuccessful providers (as determined by the local educational agency based upon the performance of the provider with respect to the goals and timetables contained in the contract between the agency and the provider under subparagraph (F));

"(iii) will provide to each parent of a child identified under subparagraph (D) who requests such information for the purpose of selecting a tutorial assistance provider for the child, in a comprehensible format, information with respect to the quality and effectiveness of the tutorial assistance referred to in clause (i); and

"(iv) will ensure that each school identifying a child under subparagraph (D) will provide upon request, to a parent of the child, assistance in selecting, from among the tutorial assistance providers who are included on the list described in subparagraph (B), the provider who is best able to meet the needs of the child.

"(c) DEFINITION.—For the purpose of this section the term 'parent' includes a legal guardian.

"SEC. 2356. PROGRAM EVALUATION.

"(a) IN GENERAL.—From funds reserved under section 2260(b)(1), the Secretary shall conduct a national assessment of the programs under this part. In developing the criteria for the assessment, the Secretary shall receive recommendations from the peer review panel convened under section 2353(f).

"(b) SUBMISSION TO PEER REVIEW PANEL.—The Secretary shall submit the findings from the assessment under subsection (a) to the peer review panel convened under section 2353(f).

"SEC. 2357. INFORMATION DISSEMINATION.

"(a) IN GENERAL.—From funds reserved under section 2260(b)(2), the National Institute for Literacy shall disseminate information on reliable, replicable research on reading and information on subgrantee projects under section 2354 or 2355 that have proven effective. At a minimum, the institute shall disseminate such information to all recipients of Federal financial assistance under titles I and VII, the Head Start Act (42 U.S.C. 9801 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), and the Adult Education Act (20 U.S.C. 1201 et seq.).

"(b) COORDINATION.—In carrying out this section, the National Institute for Literacy—

"(1) shall use, to the extent practicable, information networks developed and maintained through other public and private persons, including the Secretary, the National Center for Family Literacy, and the Readline Program;

"(2) shall work in conjunction with any panel convened by the National Institute of Child Health and Human Development and the Secretary, and any panel convened by the Office of Educational Research and Improvement to assess the current status of research-based knowledge on reading development, including the effectiveness of various approaches to teaching children to read, with respect to determining the criteria by which the National Institute for Literacy judges reliable, replicable research and the design of strategies to disseminate such information; and

"(3) shall assist any reading and literacy partnership selected to receive a grant under section 2353, and that requests such assistance—

"(A) in determining whether applications for subgrants submitted to the partnership meet the requirements of this part relating to reliable, replicable research on reading; and

"(B) in the development of subgrant application forms.

"SEC. 2358. STATE EVALUATIONS.

"(a) IN GENERAL.—Each reading and literacy partnership that receives a grant under this part shall reserve not more than 2 percent of such grant funds for the purpose of evaluating the success of the partnership's subgrantees in meeting the purposes of this part. At a minimum, the evaluation shall measure the extent to which students who are the intended beneficiaries of the subgrants made by the partnership have improved their reading.

"(b) CONTRACT.—A reading and literacy partnership shall carry out the evaluation under this section by entering into a contract with an eligible research institution under which the institution will perform the evaluation.

"(c) SUBMISSION.—A reading and literacy partnership shall submit the findings from the evaluation under this section to the Secretary and the peer review panel convened under section 2353(f). The Secretary and the peer review panel shall submit a summary of the findings from the evaluations under this subsection to the appropriate committees of the Congress, including the Education and the Workforce Committee of the House of Representatives.

"SEC. 2359. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.

"Each reading and literacy partnership that receives funds under this part shall provide for, or ensure that subgrantees provide for, the participation of children in private schools in the activities and services assisted under this part in the same manner as the children participate in activities and services pursuant to sections 2353, 2354, 2355, and 2356.

"SEC. 2260. AUTHORIZATION OF APPROPRIATIONS; RESERVATIONS FROM APPROPRIATIONS; APPLICABILITY; SUNSET.

"(a) AUTHORIZATION.—There are authorized to be appropriated to carry out this part $210,000,000 for fiscal years 1999, 2000, and 2001.

"(b) RESERVATIONS.—From the amount appropriated under subsection (a) for each fiscal year, the Secretary—

"(1) shall reserve 1.5 percent to carry out section 2356(a);

"(2) shall reserve $5,075,000 to carry out sections 2353(f)(2) and 2357, of which $5,000,000 shall be reserved for section 2357; and

"(3) shall reserve $10,000,000 to carry out section 1202(c).

"(c) APPLICABILITY.—Part E shall not apply to this part.

"(d) SUNSET.—Notwithstanding section 422(a) of the General Education Provisions Act (20 U.S.C. 1226a(a)), this part is repealed, effective September 30, 2001, and is not subject to extension under such section.".

Subtitle B—Amendments to Even Start Family Literacy Programs

SEC. __21. RESERVATION FOR GRANTS.

Section 1202(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(c)) is amended to read as follows:

"(c) RESERVATION FOR GRANTS.—

"(1) GRANTS AUTHORIZED.—From funds reserved under section 2260(b)(3), the Secretary shall award grants, on a competitive basis, to States to enable such States to plan and implement, statewide family literacy initiatives to coordinate and integrate existing Federal, State, and local literacy resources consistent with the purposes of this part. Such coordination and integration shall include coordination and integration of funds available under the Adult Education Act (20 U.S.C. 1201 et seq.), Head Start (42 U.S.C. 9801 et seq.), this part, part A of this title, and part A of title IV of the Social Security Act.

"(2) CONSORTIA.—

"(A) ESTABLISHMENT.—To receive a grant under this subsection, a State shall establish a consortium of State-level programs under the following laws:

"(i) This title.

"(ii) The Head Start Act.

"(iii) The Adult Education Act.

"(iv) All other State-funded preschool programs and programs providing literacy services to adults.

"(B) PLAN.—To receive a grant under this subsection, the consortium established by a State shall create a plan to use a portion of the State's resources, derived from the programs referred to in subparagraph (A), to strengthen and expand family literacy services in such State.

"(C) COORDINATION WITH TITLE II.—The consortium shall coordinate its activities with the activities of the reading and literacy partnership for the State established under section 2353, if the State receives a grant under such section.

"(3) READING INSTRUCTION.—Statewide family literacy initiatives implemented under this subsection shall base reading instruction on reliable, replicable research on reading (as such terms are defined in section 2352).

"(4) TECHNICAL ASSISTANCE.—The Secretary shall provide, directly or through a grant or contract with an organization with experience in the development and operation of successful family literacy services, technical assistance to States receiving a grant under this subsection.

"(5) MATCHING REQUIREMENT.—The Secretary shall not make a grant to a State under this subsection unless the State agrees that, with respect to the costs to be incurred by the eligible consortium in carrying out the activities for which the grant was awarded, the State will make available non-Federal contributions in an amount equal to not less than the Federal funds provided under the grant.".

SEC. __22. DEFINITIONS.

Section 1202(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(e)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

"(3) the term 'family literacy services' means services provided to participants on a voluntary basis that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family (such as eliminating or reducing welfare dependency) and that integrate all of the following activities:

"(A) Interactive literacy activities between parents and their children.

"(B) Equipping parents to partner with their children in learning.

"(C) Parent literacy training, including training that contributes to economic self-sufficiency.

"(D) Appropriate instruction for children of parents receiving parent literacy services.".

SEC. 23. EVALUATION.

Section 1209 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6369) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(3) to provide States and eligible entities receiving a subgrant under this part, directly or through a grant or contract with an organization with experience in the development and operation of successful family literacy services, technical assistance to ensure local evaluations undertaken under section 1205(10) provide accurate information on the effectiveness of programs assisted under this part.".

SEC. 24. INDICATORS OF PROGRAM QUALITY.

(a) IN GENERAL.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(1) by redesignating section 1210 as section 1212; and

(2) by inserting after section 1209 the following:

"SEC. 1210. INDICATORS OF PROGRAM QUALITY.

"Each State receiving funds under this part shall develop, based on the best available research and evaluation data, indicators of program quality for programs assisted under this part. Such indicators shall be used to monitor, evaluate, and improve such programs within the State. Such indicators shall include the following:

"(1) With respect to eligible participants in a program who are adults—

"(A) achievement in the areas of reading, writing, English language acquisition, problem solving, and numeracy;

"(B) receipt of a secondary school diploma or its recognized equivalent;

"(C) entry into a postsecondary school, a job retraining program, or employment or career advancement, including the military; and

"(D) such other indicators as the State may develop.

"(2) With respect to eligible participants in a program who are children—

"(A) improvement in ability to read on grade level or reading readiness;

"(B) school attendance;

"(C) grade retention and promotion; and

"(D) such other indicators as the State may develop.".

(b) STATE LEVEL ACTIVITIES.—Section 1203(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6363(a)) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(3) carrying out section 1210.".

(c) AWARD OF SUBGRANTS.—Paragraphs (3) and (4) of section 1208(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368) are amended to read as follows:

"(3) CONTINUING ELIGIBILITY.—In awarding subgrant funds to continue a program under this part for the second, third, or fourth year, the State educational agency shall evaluate the program based on the indicators of program quality developed by the State under section 1210. Such evaluation shall take place after the conclusion of the start-up period, if any.

"(4) INSUFFICIENT PROGRESS.—The State educational agency may refuse to award subgrant funds if such agency finds that the eligible entity has not sufficiently improved the performance of the program, as evaluated based on the indicators of program quality developed by the State under section 1210, after—

"(A) providing technical assistance to the eligible entity; and

"(B) affording the eligible entity notice and an opportunity for a hearing.".

SEC. 25. RESEARCH.

The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as amended by section 524 of this Act, is further amended by inserting after section 1210 the following:

"SEC. 1211. RESEARCH.

"(a) IN GENERAL.—The Secretary shall carry out, through grant or contract, research into the components of successful family literacy services. The purpose of the research shall be—

"(1) to improve the quality of existing programs assisted under this part or other family literacy programs carried out under this Act or the Adult Education Act (20 U.S.C. 1201 et seq.); and

"(2) to develop models for new programs to be carried out under this Act or the Adult Education Act.

"(b) DISSEMINATION.—The National Institute for Literacy shall disseminate, pursuant to section 2357, the results of the research described in subsection (a) to States and recipients of subgrants under this part.".

NOTICE OF HEARING

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on Thursday, April 23, 1998 at 9:00 a.m. in SR-328A. The purpose of this meeting will be to examine fraud and abuse in the federal food stamp program.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Thursday, April 23, 1998 at 9:00 a.m. in SR-328A. The purpose of this meeting will be to examine fraud and abuse in the federal food stamp program.

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

COMMITTEE ON FINANCE

Mr. COVERDELL. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Thursday, April 23, 1998 beginning at 10:00 a.m. in room 215 Dirksen.

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

SUBCOMMITTEE ON TECHNOLOGY, TERRORISM AND GOVERNMENT INFORMATION

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate Judiciary Subcommittee on Technology, Terrorism and Government Information, Committee on the Judiciary and the Senate Select Committee on Intelligence be authorized to meet for a joint hearing during the session of the Senate on Thursday, April 23, 1998 at 2:30 p.m. in room 226 of the Senate Dirksen Office Building to hold a joint hearing on: "Chemical and Biological Weapons Threats to America: Are We Prepared?"

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

COMMITTEE ON THE JUDICIARY

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary, be authorized to hold an Executive Business Meeting during the session of the Senate on Thursday, April 23, 1998, at 10:00 a.m., in room 226 of the Senate Dirksen Office Building.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources, Subcommittee on Public Health and Safety, and House Committee on Commerce, Subcommittee on Health and Environment be authorized to meet for a hearing on Increasing Bone Marrow Donation and Transplantation during the session of the Senate on Thursday, April 23, 1998, at 2:30 p.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, April 23, 1998, at 2:00 p.m. to hold a joint open hearing with the Senate Judiciary Subcommittee on Technology, Terrorism, and Government Information.

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

SUBCOMMITTEE ON AVIATION

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Aviation Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, April 23, 1998, at 2:00 p.m. on Aviation Competition: DOT Competition Guidelines.

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

SUBCOMMITTEE ON CLEAN AIR, WETLANDS, PRIVATE PROPERTY, AND NUCLEAR SAFETY

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety be granted permission to conduct a hearing on the proposed Clean Air Act regional haze regulations Thursday, April 23, 9:00 a.m., Hearing Room (SD-406).

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

SUBCOMMITTEE ON INVESTIGATIONS

Mr. COVERDELL. Mr. President, I ask unanimous consent on behalf of the

Permanent Subcommittee on Investigations of the Governmental Affairs Committee to meet on Thursday, April 23, 1998, at 9:30 a.m. for a hearing on the topic of "The Exploding Problem of Telephone Slamming in America."

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

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, April 23, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:30 p.m. The purpose of this hearing is to receive testimony on S. 1253, the Public Land Management Act of 1997.

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

ADDITIONAL STATEMENTS

TRIBUTE TO THE JCRC HOLOCAUST MEMORIAL CEREMONY

• Mr. SANTORUM. Mr. President, the Jewish Community Relations Council (JCRC) hosted the annual Holocaust Memorial Ceremony starting on April 19 in remembrance of the six million Jews who died in the Holocaust. The theme for this year's ceremony is "A People Survives: From the Gates of Hell to the Gates of Jerusalem." This memorial service draws over 3,000 people every year to honor the stoicism and faith of all people who were unjustly massacred by the Nazis. The Holocaust Memorial Ceremony is one of the most profound events in the Jewish Community.

The JCRC was established in 1938 and works to promote issues of Jewish communal concern and is driven by Jewish values of humanitarianism, respect for others, and the sanctity of human life. To this day the JCRC has worked to create a society in which there is equal opportunity for all, freedom of thought, opinion, religion and constructive, amicable relationships between people of all races and creeds. They pledge to do all this while maintaining the integrity and character of the Jewish faith.

In 1980 Congress established the United States Holocaust Memorial Council and mandated it to lead the nation in civic commemorations of the victims of the Holocaust (called Days of Remembrance), to sponsor the national annual civic commemoration and to encourage appropriate Remembrance observances throughout the country. This year Yom Hashoah was April 23. The Days of Remembrance of the victims of the Holocaust are being observed from Sunday, April 19 through Sunday, April 26.

Before there was a United States Holocaust Memorial Museum, Days of Remembrance was established and carried out, not only in the Rotunda of the United States Capitol, but all across the nation. This annual, national commemoration program is the United States Holocaust Memorial Council's longest-running program and is essential to the Council's Congressional mandate.

We have now reached the time at which many of the Holocaust survivors are passing on. It is imperative that all of humanity maintain respect for and never forget the tremendous suffering of the Jewish community. It is true that this event is a wholly Jewish experience, and yet, the entire world still reels from its impact. It is the responsibility of the people of the United States and the world to ensure that the memory of the Holocaust lives on.

Mr. President, I ask my colleagues to give their blessings to the Holocaust Memorial Ceremony and to praise the efforts of the JCRC in maintaining awareness of the Holocaust.•

AIR SERVICE RESTORATION ACT

• Mr. DORGAN. Mr. President, yesterday I and some of my colleagues on the Senate Committee on Commerce, Science, and Transportation introduced the Air Service Restoration Act designed to help revive air service to those parts of the country that have suffered under deregulation. The revitalization of air service for small communities is of absolute importance to the economic and social well-being for these communities. While this legislation is no panacea, it will hopefully provide some tools to help small communities address the air service deficit that has hit them since deregulation.

Some rural states, such as North Dakota, have not enjoyed the benefits of competition and deregulation that other regions of the country have experienced. In fact, the federal policy of deregulation has led to less service, higher fares, and less competition for my state and other rural areas. Unfortunately, the air service problems facing rural America have gone ignored for too long and we now have an air service crisis, in my judgment. This crisis needs immediate attention and the Air Service Restoration Act is a modest attempt to address this, the chronic air service deficit facing many small communities.

This legislation is based on three principles.

First, it acknowledges that since deregulation some communities have indeed suffered and there is a need for a federal role to address this small community air service deficit. It seems to me that we need to move beyond the broader debate over whether or not deregulation has been a good or a bad thing. It has been good for some and bad for others—creating an unacceptable circumstance of air service "have" and "have nots." This legislation does not seek broad-sweeping policy changes that will dramatically alter federal aviation policy. Rather, the Air Service Restoration Act attempts to target some modest resources and policy objectives to address the problem areas, i.e., the "have nots." This legislation will not threaten deregulation. Rather, it is an attempt to save it by addressing the casualties of a policy that has left some parts of the country behind. It is time that we develop "air service development zones" and allow all regions of the nation to participate in a national air transportation system. This legislation does that by identifying the problem areas and creating opportunities to attract new air service.

The second principle of this legislation is based on the notion that the initiative and locus of solving air service problems for small communities must begin at the local level. There is no federal "silver bullet" and those communities that seek to improve or restore air service must roll up their sleeves and develop sustainable public-private partnerships that will make air service economically sustainable. This legislation is a market-based solution to improving air service for small communities. The only way small communities are going to succeed in attracting new air service is that local officials and business leaders will have to get together and identify ways to make it economically viable for carriers to add service.

Finally, this legislation is based on the notion that there is clearly a need for a federal role. The U.S. Department of Transportation needs to play an active role by providing a means for small communities to access the resources and in making the regulatory changes necessary to allow new service to flourish. Under this legislation, a new office would be created within the U.S. Department of Transportation whose sole function would be to work with local communities and provide assistance to help them achieve their goals of improving air service by providing financial assistance to local communities and addressing regulatory hurdles that inhibit air service to small communities.

Hopefully, this legislation will help reverse the air service deficit in this country. Since 1978, more communities have lost service than the number of communities that have been added to the air service map of the United States. Over 30 small communities have lost all air service since 1978 and many more have had jet service replaced with turboprop commuter service.

Service decline is not the only disturbing trend plaguing small community air service. Consolidation is having its toll as well. As the airline industry continues its steady trend of consolidation, the major network carriers are pulling out of rural areas. Out of a total of 320 small communities that had scheduled air service in 1978, 213 of those were served by a major carrier. In 1994, only 33 of those small communities had service from major carriers. Prior to deregulation, North Dakota was served by 6 major carriers and every major market in North Dakota had 3 or 4 major carriers in each market, each providing jet service. Today, North Dakota has only 1 major carrier that provides jet service.

The number of small communities receiving multiple-carrier service decreased from 136 in 1978 to 122 in 1995. Also, the number of small communities receiving service to only one major hub increased from 79 in 1978 to 134 in 1994.

In 1938, when the Federal Government began to regulate air transportation services, there were 16 carriers who accounted for all the total traffic in the U.S. domestic market. By 1978 (the year Congress passed deregulation legislation) the same 16 carriers (reduced to 11 through mergers) still accounted for 94% of the total traffic.

Today, those same 11 carriers (now reduced to 6 through mergers and bankruptcies) account for 80% of the total traffic.

One expert estimated in 1992 that since deregulation, over 120 new airlines appeared. However, more than 200 have gone bankrupt or been acquired in mergers and today, only 74 remain—most small and struggling.

Between 1979 and 1988, there were 51 airline mergers and acquisitions—20 of those were approved by the Department of Transportation after 1985, when it assumed all jurisdiction over merger and acquisition requests. In fact, DOT approved every airline merger submitted to it after it assumed jurisdiction over mergers from the Civil Aeronautics Board in 1984. Fifteen independent airlines operating at the beginning of 1986 had been merged into six mega carriers by the end of 1987. And, these six carriers increased their market share from 71.3% in 1978 to 80.5% in 1990.

These mega carriers have created competition free zones, securing dominate market shares at regional hubs. Since deregulation, all major airlines have created hub-and-spoke systems where they funnel arrivals and departures through hub airports where they dominate traffic. Today, all but 3 hubs are dominated by a single airline where the carrier has between 60 and 90 percent of all the arrivals, departures, and passengers at the hub.

In a report by the General Accounting Office entitled "Airline Deregulation: Barriers to Entry Continue to Limit Competition in Several Key Domestic Markets," [GAO/RCED-97-4], operating limitations and marketing practices of large, dominate carriers restrict entry and competition to an extent not anticipated by Congress when it deregulated the airline industry. The GAO identified a number of entry barriers and anti-competitive practices which are stifling competition and contributing to higher fares. The GAO issued a similar report in 1990 and the 1996 report said that not only has the situation not improved for new entrants, but things have gotten worse.

The fact is that deregulation has lead to greater concentration and stifling competition. The legislative history of the Civil Aeronautics Act of 1938 shows that Congress was as deeply concerned about destructive competition as it was with the monopolization of air transportation services. Thus, the CAA sought to ensure that a competitive economic environment existed. As we can see, deregulation is realizing the fears anticipated by the Congress in 1938. Competition has not become the general rule. Rather, competition is the exception in an unregulated market controlled largely by regional monopolies.

It has been demonstrated that hub concentration has translated into higher fares and rural communities that are dependent upon concentrated hubs have seen higher fares. Studies from DOT and the GAO have demonstrated that in the 15 out of 18 hubs in which a single carrier controls more than 50% of the traffic, passengers are paying more than the industry norm. The GAO studied 1988 fares at 15 concentrated airports and compared those with fares at 38 competitive hub airports. The GAO found that fares at the concentrated hubs were 27% higher.

The difference between regulation and deregulation is not a change from monopoly control to free market competition. Today, nearly two-thirds of our nation's city-pairs are unregulated monopolies where a monopoly carrier can charge whatever they wish in 2 out of 3 city-pairs in the domestic market.

A January 1991 GAO Report on Fares and Concentration at Small-City Airports found that passengers flying from small-city airports on average paid 34 percent more when they flew to a major airport dominated by one or two airlines than when they flew to a major airport that was not concentrated. The report also found that when both the small airport and the major hub were concentrated, fares were 42 percent higher than if there was competition at both ends.

A July 1993 GAO Report on Airline Competition concluded that airline passengers generally pay higher fares at 14 concentrated airports than at airports with more competition. The report found that fares at concentrated airports were about 22 percent higher than fares at 35 less concentrated airports. The same report found that the number of destinations served directly by only one airline rose 56 percent to 64 percent from 1985 to 1992, while the number of destinations served by 3 or more airlines fell from 19% to 11% during that same period. This report confirmed similar conclusions reached in previous GAO studies conducted in 1989 and 1990.

The fact is that deregulation, while paving the road to concentration and consolidation, has allowed regional monopolies to control prices in noncompetitive markets. While the entrance of low cost carriers has introduced competition in dense markets, the main difference between today and pre-deregulation is that the monopolies are unregulated.

Deregulation has been both a tremendous success in some aspects and a colossal failure in some circumstances. It's time we started addressing the problems rather than just praising the successes. For hundreds of small communities, it has meant less service, higher fares, and fewer options.

Air transportation in North Dakota is just as important as air service in New York and Denver. It is not in our national interest to allow vast regions of our country to become geographically isolated. That would be not only tragic for our rural communities, but bad for the Nation.

I hope my colleagues will support this legislation and that the Senate Commerce Committee expeditiously acts on it this year.•

CELEBRATING THE 125TH ANNIVERSARY OF COORS BREWING COMPANY

• Mr. ALLARD. Mr. President, I rise today to pay tribute to a great American company, one that will be celebrating its 125th Anniversary next month. The success of Coors Brewing Company is a great American story. When Adolph Coors arrived in this country in 1868, he did not speak English, but he did know how to brew a great beer.

From 1873 until today, Coors has made its reputation on the lasting values of its founder. The American values tradition, commitment, quality, and innovation have long been a part of this history. Holding steadfast to these values has helped Coors grow from a tiny local brewery in Golden, Colorado into a world-class competitor producing more than 20 million barrels of beer each year. Today, Coors' familiar products are sold not only across the United States, but in 45 foreign countries as well.

Through the years, Coors has been at the forefront of responsible community involvement, and today it is recognized as a leader in corporate citizenship. That is why Business Ethics magazine

recently placed Coors in the top ten of its "The 100 Best Corporate Citizens." Coors also has been cited numerous times for its outstanding record in attracting, hiring, and promoting minority Americans. It is what you would expect, given Coors' record of investing hundreds of millions of dollars in economic development and other programs designed to strengthen Hispanic and African-American communities.

When you do business in Colorado, respect for the environment is, of course, a must. Coors is a leader in this area as well. Coors launched the aluminum recycling revolution back in 1959 when it began offering a penny for every returned can. Since 1990, the Coors Pure Water 2000 program has provided more than $2.5 million to support more than 700 environmental programs across the nation.

One of its most noteworthy accomplishments has been in developing and promoting effective programs to discourage abuse of its products. Coors has a record of encouraging responsible consumption of its products by adults—and only adults. Over the years, millions of dollars have been devoted to community-based education and prevention programs. Coors' "21 means 21" message has been one of the elements responsible for the steady decline in underage drinking and drunk driving that we in the United States have been fortunate to see in the recent years.

Coors has set the standard for responsible advertising, and has led the industry with policies to ensure that its ads encourage moderation, and are directed only to those over the age of 21.

We all know of the controversies that can befall consumer products of all kinds during the highly politicized times in which we live today. But the record amassed by Coors over the past 125 years is reassuring. It is good to know there are still people and companies dedicated to doing the right thing.

Today, I ask my colleagues to join me in a toast to the thousands of Coors employees in Colorado, Tennessee, Virginia, and at Coors distributorships in every state of the nation: Congratulations on a job well done!•

HONORING BRIGADIER GENERAL WALLER ON HIS RETIREMENT

• Mr. REED. Mr. President, I rise to honor Brigadier General Joseph N. Waller on the occasion of his retirement from the Rhode Island Air National Guard.

For the past thirty-one years, General Waller has dedicated himself to the citizens of our country and the Ocean state. He was first assigned to the 143rd Special Operations Squadron in July 1967 as a troop carrier pilot. The next year he was assigned as a tactical airlift pilot, a duty he performed for the next twenty-three years. During this time, he also served as a flight leader and instructor pilot. General Waller is a command pilot who has logged 4,500 flying hours.

General Waller is noted not only for his piloting skills, but also for his leadership. In 1981, he was selected as commander of the 143rd Tactical Airlift Squadron. In December 1987, he was reassigned to Headquarters, Rhode Island National Guard and named Deputy Chief of Staff. Three years later he became Chief of Staff. The very next year he was elevated to the position of Assistant Adjutant General, the position he holds today.

General Waller chairs the Eastern Region of the Air National Guard Long Range Planning Process and serves as the Air National Guard Assistant of Strategic Planning to the US Air Force Long Range Planning Office. He is well suited to these positions because during his thirty years in the Rhode Island National Guard, General Waller has witnessed and provided leadership through immense change. When General Waller first joined the Guard in the 1960s, the United States was immersed in turmoil both at home and abroad. The goals and role of the military in the states and overseas were confused and conflicted. During the next decade, the United States moved to an all volunteer force, fundamentally changing the nature of the Guard. Then in the 1980s, military goals and perspectives shifted again during an enormous buildup which peaked in 1985 with a record budget of $300 billion.

Now, once again, the Guard is adjusting to new era of reduced force structure, budget constraints, and base closures. Members of the Guard no longer train one weekend a month and two weeks each summer. Instead, they participate 110–120 days a year and work side-by-side with their active duty colleagues on missions in countries around the world. General Waller has been through it all and has never wavered from the core values of the Guard: integrity first, service before self, and excellence in all that is done.

General Waller is clearly an outstanding soldier. His military awards and decorations include the Legion of Merit; Meritorious Service Medal with two bronze oak leaf clusters; Air Force Commendation Medal; Air Force Achievement Medal; Outstanding Unit Award; Combat Readiness medal with three bronze oak leaf clusters; National Defense Service Medal with one star; Air Force Longevity Service Award Ribbon with one silver and three bronze oak leaf clusters; Armed Forces Reserve medal with gold hourglass; Small Arms Expert Markmanship Ribbon; Air Force Training Ribbon; Rhode Island Star with one oak leaf cluster; Rhode Island Defense Medal; and Rhode Island National Guard Service Medal with eagle and "V" device.

General Waller is also an outstanding citizen. He is the devoted husband of Carol, the loving father of Wendy, Jay and Jill and the proud grandfather of three boys. Throughout the years he has also given to his community as a Boy Scout Master and a Sunday school teacher.

General Waller rose from the enlisted ranks and has occupied and succeeded at virtually every level of command. He inspired and empowered those around him. He cares deeply for the Guard and the people in it. We are honored by the legacy he leaves behind and aspire to ensure that General Waller is always proud of the Guard in the future.•

DAY OF REMEMBRANCE

• Mr. JEFFORDS. Mr. President, I rise today, April 23, as the United States Congress joins hands with the United States Holocaust Memorial Museum and conducts a Day of Remembrance ceremony in the Rotunda of the Capitol. This ceremony, and those in each of the 50 State capitols and in some 200 cities and towns throughout the nation, honors the memory of those 11 plus million Holocaust victims and the millions more who survived but found their pre-WWII lives in shambles and in all too many cases, irretrievable.

This year's ceremony pays special tribute to the children, those innocent victims of the war and the Nazis' persecution. That they survived is remarkable. In some instances, they bear the physical markings of their plight. Others carry their wounds in their hearts and heads.

That this great nation mandates a Day of Remembrance ceremony is an indication of its commitment to historical memory. But an equally important part of our effort to learn from the past is the presence of the United States Holocaust Memorial Museum. Its mission is to advance Holocaust memory, education and scholarship. This week marks its 5th anniversary.

Five years ago, no one would have predicted the reaction of the United States to the opening of the Holocaust Museum. Estimates of visitation, even those most rosy, were low by a factor of more than two. Expecting 750,000 visitors under the highest estimate, the museum welcomed over 2 million in its first year and every year since. Just drive by the Holocaust Museum any morning and see the line stretching around the building.

While I reflect on the Holocaust Museum, I feel it appropriate to mention the work of a distinguished Vermonter, Professor Raul Hilberg. Professor Hilberg spent many years educating students at the University of Vermont about the Holocaust, but few people know how instrumental he was in furthering Holocaust related research as a real serious enterprise. It wasn't until Raul Hilberg began his study of this important subject that historians

began to take it seriously, and his research preceded the concept of the Holocaust Memorial Museum. Professor Hilberg was instrumental in furthering the Museum's research programs and many feel that he serves as a father figure to the institution.

Americans care about the past and want the world they leave to their children to be a better and safer place. They have learned well the lessons from the fall of German democracy and the rise of Nazism. They look around the world today and see acts of genocide and crimes against humanity and rightly worry about our future.

They come to the Holocaust Museum because it informs and educates. It makes disregarding the past and even contemporary acts of genocide and crimes against humanity more difficult.

We as a nation benefit greatly from this institution which stands as a testament to the horrors of the past and guards against a reoccurrence in the future.•

NEBRASKA CULTURAL PRESERVATION ENDOWMENT

• Mr. KERREY. Mr. President, I would like to talk about an exceptional, innovative effort in Nebraska; the creation of a $5 million Nebraska Cultural Preservation Endowment. Last week the Nebraska Legislature approved, and Governor Nelson signed legislation to make Nebraska the first state in the nation to establish a combined funding source for arts and humanities programs.

I am very hopeful that this pioneer endeavor will safeguard Nebraska's cultural programs from the uncertainty of federal funding and private donations. And I have high hopes that this permanent state resource will provide the Nebraska Arts Council and Nebraska Humanities Council the flexible, broad-based kind of support that they need to do the best job possible. Moreover, the foresight, diligence and creativity of those who conceived of this venture will undoubtedly ensure that future generations of Nebraskans will benefit from a vibrant cultural life, historical tourism and economic development which this public-private partnership will foster.

At this time, I would like to applaud the efforts of those who made this Endowment possible. Governor Ben Nelson, State Senator LaVon Crosby, of Lincoln, Jennifer Severin Clark of the Nebraska Arts Council and Jane Hood of the Nebraska Humanities Council are all to be highly commended. Thank you for your leadership, commitment and courage in this endeavor and congratulations on a job very well done.•

150TH ANNIVERSARY OF THE WOMEN'S RIGHTS MOVEMENT

• Mr. ABRAHAM. Mr. President, I rise today to recognize the 150th Anniversary of the Women's Rights Movement of the United States. This courageous movement which began in 1848 in Seneca Falls, New York at the first Women's Rights Convention ever held, changed the nation irrevocably. The Women's Rights Movement had a profound impact on women and all Americans. It opened up many new doors and increased opportunities for women in all fields. The work to achieve equality for women that began in 1848, has continued over the course of seven generations. It is for this reason that this significant movement in American history should be increasingly recognized by our nation's citizens, especially our children.

The significance of this year cannot be stressed enough. This 150th Anniversary, under the national theme: "Living the Legacy: Women's Rights Movement 1848–1998" should be widely recognized and celebrated throughout the year and into the future.•

TRIBUTE TO BETSY STEVENS OF THE CAPE COD CHAPTER OF THE RED CROSS

• Mr. KENNEDY. Mr. President, it is a privilege to take this opportunity to pay tribute to Betsy Stevens, who recently retired as Disaster Chairman for the Cape Cod Chapter of the American Red Cross.

Betsy Stevens has served with great distinction in this position for the past six years. One of her most impressive achievements was hosting the recent Eastern Disaster Conference. Over 200 Red Cross disaster volunteers from the Eastern United States attended this conference hosted by the Cape Cod Chapter.

In her capacity as Chairman, Mrs. Stevens did an excellent job organizing and training volunteers to provide services to the victims of disasters. During her tenure, Red Cross volunteers responded to disasters such as the Oklahoma City bombing, the hurricane in Guam, and the paralyzing ice storm in Maine.

On Cape Cod, Betsy Stevens was renowned for her availability to deal with sudden crises at all hours. She responded to fires and airplane crashes, and manned shelters during severe storms. She was skillful in recruiting shop owners to donate goods and services. She found emergency housing for victims and served countless holiday dinners. She deserves great credit for the exceptional readiness and high quality of the Red Cross volunteers of the Cape Cod Chapter. Her leadership will be greatly missed, but she has the gratitude of all of us for the job she did so well. •

GIRL SCOUTS OF THE U.S.A. GOLD AWARD

• Mr. INHOFE. Mr. President, today I would like to salute several outstanding young women who have earned the Girl Scouts of the U.S.A. Gold Award. All are members of the Red Lands Council of Girl Scouts in Oklahoma City, OK.

These outstanding young women will be honored on April 30, 1998, for earning the highest achievement award in Girl Scouting. The Girl Scout Gold Award symbolizes the outstanding accomplishments in the areas of leadership, community service, career planning, and personal development. The Girl Scout Award can be earned by girls ages 14–17 or in grades 9–12.

Girl Scouts of the U.S.A., an organization serving over 2.5 million girls, has awarded more than 25,000 Girl Scout Gold Awards to Senior Girl Scouts since the inception of the program in 1980. To receive the award, a Girl Scout must fulfill five requirements: earn four interest project patches, earn the Career Exploration pin, earn the Senior Girl Scout Challenge, and design and implement a Girl Scout Gold Award Project. A plan for fulfilling the requirements of the award is created by the Senior Girl Scout and carried out through close cooperation between the girl and an adult Girl Scout volunteer.

The names and projects of the young women receiving the Girl Scout Gold Award are as follows:

Mary Foster put up a fence, cleaned up and fixed headstones in her community cemetery.

Laura Hubbard made a camp song book and set up a workshop to teach children and adults.

Taneya Hamlin made a take-home booklet for children to learn about nature. She achieved this by designing and drawing an activity/coloring book for young visitors to Martin Park Nature Center.

Rebecca Shappie provided a method to raise money for scholarships for kids to go to camp.

Christina Hammond, Carrie Heaton, and Sara Brannan, designed an Erosion Control Project at Lake Keystone which will benefit present and future generations.

Patricia Bardick designed a program called "Babies, Bears and Books."

Jennifer Hall designed a program called "Boredom Buster and Beauty Bags" for the Baptist Children's Home.

Parthenia Harding, Erica Hill, Nina Holman, Jamila Jones and Rachel Landry-Gators set up and taught a basic American Red Cross course at an elementary school.

Michelle Lambertus created "Huggable Gingerbread," a puppet show for children in the hospital.

Joelle Parrot and Jamie Smith organized and staffed a community blood drive.

The earning of the Girl Scout Gold Award is a major accomplishment for these young women, and I believe they should receive the public recognition due them for this significant service to their community and their country.●

CONGRATULATIONS TO C. VIVIAN STRINGER AND THE SCARLET KNIGHTS

● Mr. LAUTENBERG. Mr. President, I rise today to congratulate the Rutgers University women's basketball coach, C. Vivian Stringer, and her team for their excellent success this past season when the Scarlet Knights made it to the NCAA Tournament.

Even though Rutgers didn't make it to the NCAA Final Four, losing to the Tennessee Lady Volunteers 92–60, Vivian and the talented young women whom she has recruited and cultivated are champions to all New Jerseyans.

Vivian began her career building the fledgling women's basketball program at Cheyney State in Pennsylvania, bringing the team to the NCAA Championship game in 1982. She moved on to Iowa State, where for nine consecutive seasons she brought her team to the NCAA Tournament. And then she landed at Rutgers.

As one most respected head coaches in women's basketball history, Vivian has been named National Coach of the Year three times by her peers, as well as getting Coach of the Year awards from Sports Illustrated, USA Today, Naismith and the Black Coaches Association.

So Vivian's success at Rutgers, however remarkable, is not unexpected. Before this year, the Scarlet Knights had not been to the NCAA Tournament since 1994. A recent news article in Newark, New Jersey's Star-Ledger describes the reasons behind Vivian's thriving tenure best, I think. It said that Vivian, now in her third season: "pumped Rutgers with fresh talent and a distaste for mediocrity, a combination that has triggered the Scarlet Knights' rise and surge through the NCAA Tournament."

Vivian has worked hard to recruit gifted women, instill discipline in practice and competition, and most importantly, inspire self-confidence among the players. The women attracted to the Rutger's basketball program all excelled in their high school years and have a strong desire to contribute to the game at a college level. The number of awards that the players on the team have received individually is part of an impressive collection, with honors such as Parade all-American, Rookies of the Year, Gatorade Player of the Year, and Sports Illustrated "Faces in the Crowd."

Again, I congratulate Vivian on her hard work and the ambitious young women who play for her. I wish them continued success.●

TRIBUTE TO MR. WALTER M. HAUK, JR.

● Mr. SANTORUM. Mr. President, the Knights of Columbus recently honored Mr. Walter Hauk, Jr. for his contributions as the State Advocate over the past two years. I rise today to recognize Mr. Hauk and to discuss some of his outstanding contributions to his community.

A resident of Plymouth Township, Pennsylvania, Walter has taken a very active role in local affairs. Over the past 25 years, Walter has been a cornerstone of the Knights of Columbus. In fact, he has held all of the top offices in the organization. In addition, he has served as member of the Conshohocken Zoning Board, assisted in the Conshohocken Soap Box Derby, and served as a Scout Master. Furthermore, I would note that he earned a degree in accounting by attending evening classes at St. Joseph's University.

By all accounts, Walter is a dedicated husband and father. He and his wife, Carol, were blessed with four children—two sons and two daughters. They are also proud grandparents.

Mr. President, Walter has dedicated his life to his family and his community. I ask my colleagues to join me in extending the Senate's best wishes for continued success to Mr. Hauk and his family. ●

DONOR AWARENESS WEEK, APRIL 19–25

● Mr. ABRAHAM. Mr. President, I rise today to proclaim this week, April 19–25, 1998 as "Donor Awareness Week." Organ and tissue donation is a very important issue. There is a critical need to bring this issue to the forefront. Nationally, nine out of ten individuals die while waiting for a lifesaving transplant. Awareness should be promoted at national and local levels.

I would also like to take this opportunity to recognize some individuals who work very hard to raise organ and transplant awareness. The volunteers at the Lakeshore Transplant Support Group in Muskegon, Michigan work on a daily basis to do so. I commend their dedication on behalf of this issue. Hopefully, more people will follow in their example and work to raise awareness of the importance of organ and tissue donation.●

MEASURE READ FOR THE FIRST TIME—S. 1981

Mr. GRASSLEY. Mr. President, I understand that S. 1981, which was introduced earlier today by Senator HUTCHINSON, is at the desk. I now ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The assistant legislative clerk read as follows:

A bill (S. 1981) to preserve the balance of rights between employers, employees, and labor organizations, which is fundamental to our system of collective bargaining while preserving the rights of workers to organize, or otherwise engage in concerted activities protected under the National Labor Relations Act.

Mr. GRASSLEY. Mr. President, I now ask for its second reading, and I object to my own request on behalf of Members on the other side of the aisle.

The PRESIDING OFFICER. The bill will be read the second time on the next legislative day.

MAKING A TECHNICAL CORRECTION TO S. RES. 414

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 215, submitted earlier today by Senator HUTCHISON.

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

The clerk will report.

The assistant legislative clerk read as follows:.

A resolution (S. Res. 215) directing the Secretary of the Senate to request the House of Representatives to return the official papers on S. 414, and to make a technical correction in the Act as passed by the Senate.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 215) was agreed to, as follows:

S. RES. 215

Resolved, That the Secretary of the Senate is directed to request the House of Representatives to return to the Senate the official papers on S. 414, entitled "An Act to amend the Shipping Act of 1984 to encourage competition in international shipping and growth of United States exports, and for other purposes".

SEC. 2. Upon the return of the official papers from the House of Representatives, the Secretary of the Senate is directed to make the following change in the text of the bill, viz:

In the amendment of section 8(f) of the Shipping Act of 1984 by section 106(e) of the bill, insert a comma and "including limitations of liability for cargo loss or damage," after "practices".

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and upon the recommendation of the Democratic Leader, pursuant to the provisions of S. Res. 208 of

the 105th Congress, appoints the following Senators to the Special Committee on the Year 2000 Technology Problem: The Senator from Connecticut (Mr. DODD), Vice Chairman, The Senator from New York (Mr. MOYNIHAN), and The Senator from New Mexico (Mr. BINGAMAN).

ORDERS FOR FRIDAY, APRIL 24, 1998

Mr. GRASSLEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m. on Friday, April 24. I further ask that on Friday, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then begin consideration of the conference report to accompany H.R. 1757, the State Department reorganization bill, under the consent agreement of March 31, 1998.

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

UNANIMOUS-CONSENT AGREEMENT—CONFERENCE REPORT ON H.R. 1757

Mr. GRASSLEY. Mr. President, for the information of all Senators, the Senate will begin debate tomorrow on the State Department reorganization conference report under a 6-hour time agreement.

Mr. President, I ask unanimous consent that the vote on the adoption of the conference report now occur at 2:25 p.m. on Tuesday, April 28, with the previously ordered 10 minutes to commence at 2:15 Tuesday.

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

PROGRAM

Mr. GRASSLEY. Mr. President, as previously ordered, the vote on the conference report will now occur on Tuesday at 2:25 p.m. I announce to the membership that the vote scheduled for Monday, April 27, at 5:30 p.m. now be postponed until 6 p.m. on Monday, and will be on an executive matter to be determined on Friday, April 24, by the majority leader after consultation with the Democratic leader. Also, under the previous order, when the Senate reconvenes on Monday and following morning business, the Senate will proceed to executive session to consider the NATO treaty. It is hoped that there will be good debate on the treaty and that Members who wish to offer amendments will come to the floor to do so. Therefore, there will be no rollcall votes during Friday's session, and the next rollcall vote will occur on Monday, April 27, at 6 p.m.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. GRASSLEY. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:27 p.m., adjourned until Friday, April 24, 1998, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate April 23, 1998:

ENVIRONMENTAL PROTECTION AGENCY

NIKKI RUSH TINSLEY, OF MARYLAND, TO BE INSPECTOR GENERAL, ENVIRONMENTAL PROTECTION AGENCY, VICE JOHN C. MARTIN, RESIGNED.

THE JUDICIARY

ROBERT A. FREEDBERG, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA VICE THOMAS N. O'NEILL, JR., RETIRED.

DAVID R. HERNDON, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS VICE WILLIAM L. BEATTY, RETIRED.