Senators on both sides of the aisle, but it does give Members an opportunity to focus, as we just heard, on issues that are important to individual Senators but also are important to the American people in the broadest sense.

In this Congress we are always on a particular piece of legislation or in Executive Session, this gives us an opportunity to pause for a moment and shine that spotlight and that focus on an initial speech or discussion.

I am very pleased we are reaching to the past—not the distant past—to something we have gotten away from in the last several Congresses, and as an initiative by our new Senators are embarking upon what I know will be a great and very meaningful and powerful experience for all of us.

The PRESIDENT pro tempore. The Chair, in my capacity as the Senator from Alaska, asks the floor staff to notify me when such speeches are to be made at any time.

Mr. REID. Mr. President, while the majority leader is in the Chamber, I ask unanimous consent that the major- ity be given a full hour—we have taken some time today—and the Democrats, if necessary, extended 10 minutes also.

The Chair recognizes the Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I rise today to address the intersection of two urgent concerns that will determine our country’s future, and these are also the two topics I care about the most, the education of our children and the principles that unite us as Americans. It is true that we put the teaching of American history and civics back in its rightful place in our schools so our children can grow up learning what it means to be an American. Especially during such serious times when our values and ways of life are being attacked, we must understand just what those values are.

I think, most Americans would agree. For example, in Thanksgiving remarks in 2003, President Bush praised our Nation’s response to 9/11. “I call it,” he said, “the American character.” At about the same time, speaking at Harvard, former Vice President Al Gore said, “We should fight for the values that bind us together as a country.”

Both men were invoking a creed of ideas and values in which most Americans believe. “It has been our fate as a nation,” the historian Richard Hofstadter wrote, “not to have ideologies but to be one.” This value-based identity has inspired both patriotism and division at home as well as emulation and hatred abroad. For terrorists, as well as those who admire America, at issue is the United States itself—not what we do but who we are.

Yet our children do not know what makes America exceptional. National exams show that three-quarters of the Nation’s 4th, 8th, and 12th graders are not proficient in civics knowledge and one-third do not even have basic knowledge of making them “civic illiterates.”

Children are not learning about American history and civics because they are not being taught them. American history has been watered down, and civics is too often dropped from the curriculum entirely.

Until the 1960s, civics education, which teaches the duties of citizenship, was a regular part of the high school curriculum. But today’s college graduates probably have less civic knowledge than high school graduates of 50 years ago. Reforms, so-called, in the 1960s and 1970s, resulted in widespread elimination of required classes and curriculum in civics education. Today, more than half the States have no requirement for students to take a course—even for one semester—in American government.

To help put the teaching of American history and civics in its rightful place, today I introduce legislation on behalf of myself and cosponsors, Senators REID of Nevada, Senator GREGG, Senator SANTORUM, Senator INHOFE, and Senator NICKLES. We call it the American History and Civics Education Act. The purpose of the act is to create presidential academies for teachers of American history and civics, and congressional academies for students of American history and civics. These residential academies would operate for 2 weeks, in the case of teachers, and 4 weeks in the case of students, during the summertime. Their purpose would be to inspire better teaching and more learning of the key events, the key persons, and the key ideas that shape the American institutions and democratic heritage of the United States.

I had some experience with such residential summer academies when I was Governor of Tennessee. It was a good experience. In 1984, I began creating residential schools for students and for teachers. We had a Governor’s School for the Arts. We had a Governor’s School for International Studies at the University of Memphis, a Governor’s School for Teachers of Math at the University of Tennessee at Knoxville, which was very successful. Eventually there were eight governor’s schools in our State, and they helped thousands of Tennessee teachers improve their skills and inspired outstanding students in the same way. When those teachers and students went back to their own schools during the regular school year, their enthusiasm for teaching and learning the subject they had been a part of in the summer infections their peers and improved education across the board. Dollar for dollar, I believe the governor’s schools in our State were the most effective popular education initiatives in our State’s history.

We weren’t the only State to try it; many did. The first State governor’s school I heard about was in North Carolina, started by Terry Sanford when he was Governor in 1963, and then other States have done the same—Governors have taken their peers and adult education leaders and created summer academies for training teachers. In 1973, Pennsylvania established the Governor’s Schools of Excellence, with 14 different programs of study. Mississippi has done the same. Virginia’s Governor’s School is a summer residential program for 750 of the Commonwealth’s most gifted students. Mississippi and West Virginia also have similar programs. They are just a few of the more than 100 governor’s schools in 28 States. Clearly, the model has proved to be a good one.

The legislation I propose today applies that successful model to American history and civics by establishing
presidential and congressional academies for students and teachers of those subjects.

The legislation would do one more thing. It would authorize the creation of a national alliance of American history and civics teachers who could connect by the Internet. The alliance would facilitate sharing of best practices in the teaching of American history and civics. It is modeled after an alliance I helped the National Geographic Society launch in the 1980s. Their purpose was to help put geography back into the school curriculum.

This legislation creates a pilot program, up to 12 presidential academies for teachers, 12 congressional academies for students, sponsored by educational institutions. The National Endowment for the Humanities would award 2-year renewable grants to those institutions after a peer review process. Each grant would be subject to rigorous review after 3 years to determine whether the overall program should continue or expand or be stopped. The legislation authorizes $25 million annually for the 4-year pilot program.

There is a broad new basis of support for an American history and civics in our country. As David Gordon noted in a recent issue of the Harvard Education Letter:

A 1998 survey by the nonpartisan research organization Public Agenda showed that 94 percent of high school age children say they believe the United States is a special country and they want our schools to convey that belief to our children by teaching about its traditions. Similar numbers identified the American ideal as including equal opportunity, individual freedom, and tolerance and respect for others. Those findings were consistent across racial and ethnic groups.

Our national leadership has responded to this renewed interest. In 2000, at the initiative of my distinguished colleague Senator BYRD, Congress created grants for schools that teach American history as a separate subject within the school curriculum. We appropriated $100 million for those grants in the recent omnibus appropriations bill, and rightly so. They encourage schools and teachers to focus on the teaching of traditional American history and provide important financial support.

Then, last September, with historian David McCullough at his side, President Bush announced a new initiative to encourage the teaching of American history and civics. He established the “We The People” program at the National Endowment for the Humanities, which will develop curricula and sponsor lectures on American history and civics. He announced the “Our Documents” project, run by the National Archives. This will take 100 of America’s most prominent and important documents from the National Archives to classrooms everywhere in the country. This year, the President and I convoked a White House forum on American history, civics, and service. There we can discuss new policies to improve the teaching and learning of those subjects.

This proposed legislation takes the next step by training teachers and encouraging outstanding students. I am pleased today that one of the leading Representatives, ROGER WICKER of Mississippi, along with a number of his colleagues, is introducing the same legislation in the House of Representatives. I thank Senator Gregg, the chairman of the Senate Committee on Education, Labor, and Pensions, for being here and also for agreeing that the committee will hold hearings on this legislation so we can determine how it might supplement and work with the legislation enacted last year in this Congress and the President’s various initiatives.

In 1988, I was at a meeting of educators in Rochester when the President of Notre Dame University asked this question: “What is the rationale for the public school?” There was an unexpected silence in the room until Al Shanker, the president of the American Federation of Teachers, answered in this way: “The public school was created to teach immigrant children the three R’s and what it means to be an American. When they arrived home they would then go home and teach their parents.”

From the founding of America, we have always understood how important it is for citizens to understand the principles that unite us as a country. Other countries are united by their ethnicity. If you move to Japan, you can’t become Japanese. Americans, on the contrary, are united by a few principles in which we believe. To become an American citizen, you subscribe to those principles. If there are no agreement on those principles, Samuel Huntington has noted, we would be the United Nations instead of the United States of America.

There is a need for a continuous education process to remind Americans just what those principles are. In his retirement at Monticello, Thomas Jefferson would spend evenings explaining to overnight guests what he had in mind when he helped create what we call America. By the mid-19th century it was just assumed that most Americans knew what it meant to be an American. In his letter from the Alamo, Col. William Barrett Travis pleaded for help simply “to make all Texas a refuge of freedom and every thing dear to the American character.”

New waves of immigration in the late 19th century brought to our country a record number of new people from other lands whose view of what it means to be an American was distinct—and Americans responding by teaching them. In Wisconsin, for example, the Kohler Company housed German immigrants together so that they might be Americanized during non-working hours.

But the most important Americanizing institution, as Mr. Shanker reminded us in Rochester in 1988, was the new common school. McGuffey’s Reader, which was used in many classrooms, sold more than 120 million copies introducing a common culture of literature, patriotic speeches and historical references.

The years of the 20th century made Americans stop and think about what we were defending. President Roosevelt made certain that those who charged the beaches of Normandy knew they were defending for freedoms. Our national leadership has focused on teaching and defining the principles that unite us waned. Unpleasant experiences with McCarthyism in the 1950’s, discouragement after the Vietnam War, and history books that left out or distorted the history of African-Americans made some skittish about discussing “Americanism.” The end of the Cold War removed a preoccupation with who we were, not making it less important to consider who we are.

The immigration law changes in 1965 and the Cold War removed a preoccupation with who we were, not making it less important to consider who we are. The immigration law changes in 1965 and the Cold War made us realize that we are one country—forcing us to remind ourselves of those principles, to examine and define them, and to celebrate them. The President has been the lead teacher. President Bush literally took us back to school on what it means to be an American. When he took the country to church on television after the attacks he reminded us...
that no country is more religious than we are. When he walked across the street to the mosque he reminded the world that we separate church and state and that there is freedom here to believe in whatever one wants to believe and to act on it. He led Afghanistan to the Talibans, he honored life. When we put planes back in the air and opened financial markets and began going to football games again we honored liberty. The President called on us to make those magnificent images of courage and character and leadership that are selfless after 9/11 more permanent in our every day lives. And with his optimism, he warded off doomsayers who tried to diminish the real gift of Americans to civilization, our cockeyed optimism that anything is possible.

Just after 9/11, I proposed an idea I called "Pledge Plus Three." Why not start each school day with the Pledge of Allegiance—as we did this morning here in the Senate—followed by a faculty or student prayer, but done in three minutes "what it means to be an American." The Pledge embodies many of the ideals of our National Creed: "one nation, under God, indivisible, with liberty and justice for all." It speaks to our faith in the fair treatment of all Americans; to our belief in the American way'' to solve a given problem; to the fair treatment of all Americans. If, most of our politics and government is about applying to our most urgent problems the principles and characteristics of the United States of America an exceptional country, then we had better get about the teaching and learning of those principles and characteristics.

The legislation I propose today, with several components helps our schools do what they were established to do in the first place. At a time when there are record numbers of new Americans, at a time when our values are under attack, at a time when we are considering going to war to defend the values those values can be no more urgent a task than putting the teaching of American history and civics back in its rightful place in our schools so our children can grow up learning what it means to be an American.

M. President, I ask unanimous consent to have printed in the RECORD several items: A syllabus from the course that I taught, an article from the National Association of Scholars, and memoranda outlining the various Governors' schools in our State and other States.

I also highly commend to my colleagues a report from the Carnegie Corporation and CIRCLE titled "The Civic Mission of Schools." There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the National Association of Scholars]

TODAY'S COLLEGE STUDENTS BARELY MORE KNOWLEDGEABLE THAN HIGH SCHOOL STUDENTS OF 50 YEARS AGO, SHOWS PROCTOR & SHORES, PRINCETON, NJ, DEC. 18, 2002—Contemporary college seniors scored on average little or no higher than the high-school graduates of a half-century ago on a battery of 15 questions assessing general cultural knowledge. The questions, drawn from a survey originally done by the Gallup Organization in 1955, covered literature, music, science, geography, and history. They were asked again of a random sample of American college and university students by Zogby Inter- national. Today's college seniors also compared to those provided to the Gallup questions by college graduates in 1955. Although the relatively small number of college graduates in 1955 may not have substantially raised student knowledge, the degree of confidence one can have in the comparisons, the consistency and size of the knowledge superiority displayed by the 1950s college graduates strongly suggests that it is real.

The overall average of correct responses for the entire general knowledge survey was 32% for today's college seniors, 53.5% for today's college seniors, 54.5% for the 1955 high school graduates, and 77.3% for the 1955 college graduates.

[Removing three questions about which, for reasons indicated in the full report, the earlier respondents may have had more "extracurricular" sources of knowledge, the figures become 30.3% for the 2002 seniors, 44.6% for the 1955 high school graduates, and 67.8% for the 1955 college graduates.]

In addition, the 2002 college seniors were asked two questions on reading and musical interests that were asked of national samples of the American population in 1937 and 1957. With respect to interest in high literate and music culture the answers fail to show impressive or consistent differences between the two groups. A question inquireed, "if not, they had a favorite author," 56% of 2002 college seniors, as opposed to 32% of the general population in 1946—the great majority of whom had only an elementary or secondary school education—answered affirmatively. For both groups, however, most of the authors specifically mentioned were writers of popular fiction. When asking about "high-brow" and canonical writers were tabulated, the differences between the two groups shrink considerably: 17% of the national sample female into a "high-brow" classification in 1946, as opposed to 24% for the 2002 college senior sample. Not a particularly large difference given the college senior's great advantage in formal education.

The results, said NAS president Stephen H. Balch, "though somewhat mixed and based on a limited number of questions, are hardly reassuring. America has poured enormous amounts of tax dollars into expanding higher education. We still excel in higher-income families to be outstandingly poor in the classroom than was formerly the case. Our evidence suggests that this time and treasure may have substantially raised student cultural knowledge above the high school levels of a half-century ago."

The point is, the "high-cultural interest and aspirations of today's college seniors are neither consistently nor substantially more elevated than yesteryear's college seniors. "Going to school generally, and such interests and aspirations has traditionally been considered a core element of the collegiate experience. If the last fifty years have in fact witnessed a genuine "deficit," it represents a real disappointment of once widespread hopes."
GOVERNOR'S SCHOOLS APPENDIX

Virginia Governor's Schools for Humanities and Visual & Performing Arts:
Established in 1972.
“Takes place in more than 40 sites throughout Virginia:”
“The Governor’s Schools presently include summer residential, summer regional, and academic-year programs serving more than 7,500 gifted and talented students from all parts of the commonwealth”;
Fund by way of the Virginia Board of Education and the General Assembly (no specific funding sources are available). Pennsylvania Governor’s Schools of Excellence:
Established in 1972.
Program is broken up into 8 schools (Agricultural Sciences-Penn State University, Global Entrepreneurship-Lehigh University, Health Care-University of Pittsburgh, Information Technology-Drexel University-Penn State University, International Studies-University of Pittsburgh, Teaching-Millersville University, the Arts-Mercyhurst College, the Sciences-Carnegie Mellon University);
Funded by the Commonwealth of Pennsylvania.
Mississippi Governor’s School:
Established in 1981.
Program is hosted by the Mississippi University for Women;
Major focus: academic courses change yearly, however, all courses are designed to provide “academic, creative leadership experiences.”
West Virginia Governor’s School for the Arts:
“Brings 80 of West Virginia’s most talented high school actors, dancers, musicians, singers and visual artists to the West Liberty State College campus for a three-week residential program.”
Arkansas Governor’s School:
Established in 1980.
Program is hosted by Hendrix College and attended by approximately 400 students yearly;
Areas of focus include “art, music, literature, film, dance, and thought in the sciences, social sciences, and humanities”;
This 6-week program is funded by the Arkansas General Assembly.
Governor’s schools for Montana, Massachusetts, and Connecticut not found.
Alabama Governor’s School:
Established in 1987.
Program is hosted by Samford University;
Academic courses stress fieldwork and problem-solving; the arts, humanities and sciences are also explored;
Major and minor areas of study include, “The Legal Process, American Healthcare, and Urban Geography.”
Delaware Governor’s School for Excellence:
One-week summer program;
Open to academically and artistically talented sophomores from Delaware high schools;
Students attend either the academic program or the visual and performing arts program;
Kentucky Governor’s Scholars Program:
Established in 1983.
Held on the campuses (2003) of Centre College in Danville, Eastern Kentucky; University in Richmond, and Northern Kentucky University in Highland Heights;
Five-week long summer program;
Students may choose from over 20 subjects, including: engineering and cultural anthropology;
Students selected attend the program free of cost.
Kentucky Governor’s School for the Arts:
Provides hands-on instruction for Kentucky’s dancers, actors, and musicians;
No charge to students because it is paid for by the State;
Open to sophomores and juniors in high school.
Missouri Scholars Academy:
Three-week academic program for Missouri’s gifted students;
300 students attend each year;
Held on the campus of University of Missouri-Columbia;
Administered by the Department of Elementary and Secondary Education, in cooperation with University of Missouri officials;
Funds to support the Academy are appropriated by the Missouri Legislature, allowing state Board of Education recommendations;
Academy focuses on liberal arts and numerous extra-curricular activities.

A GLANCE AT TENNESSEE GOVERNOR’S SCHOOLS

Background
The Governor’s School for the Arts—June 15–July 12, 2003—held on the campus of the University of Tennessee at Martin, near the Shiloh Battleground and the sociological cultures of the Mississippi and Tennessee Rivers.
The School for International Studies—October 11–19, 2003—held on the campuses of The University of Memphis, in the heart of Tennessee’s growing international corporate center, home to Federal Express, Holiday Inn, and Schering-Plough.
The School for Tennessee Heritage—June 15–July 12, 2003—held on the campus of East Tennessee State University in Johnson City, surrounded by the area where Tennessee’s history began and only a few miles from Johnsonburg, the state’s oldest existing city.
The School for Prospective Teachers—June 15–July 12, 2003—held on the campus of the University of Tennessee at Chattanooga—with access to many schools throughout the area.
The School for Manufacturing—June 15–July 12, 2003—held on the campus of the University of Tennessee at Chattanooga—on the important of manufacturing as an integral part of the culture and economy of Tennessee.
President’s School for Information Technology and Leadership—June 15–July 12, 2003—this self-funded school will be held on the campus of Tennessee Technological University.

GOVERNOR’S SCHOOLS BACKGROUND

The 1984 Extraordinary Session of the Tennessee General Assembly mandated the Governor’s School program as a way of meeting the needs of Tennessee’s top students. For many years this program has been included in the Appropriation Bill of the General Assembly.
The Governor’s Schools started with 3 schools (100 students each) in 1985:

Added in 1998 Hospitality and Tourism at TSU originally served 60 (2000 = 60; 2001 = 60).
Added in 1999 Health Sciences at Vanderbilt originally served 25 (2000 = 20; 2001 = 0).
Discontinued in 2001 Hospitality and Tourism (per legislature).
Discontinued in 2003 Health Sciences (per legislature).
Suspended for 2002 All Governor’s School Programs.
During the 2001 Governor’s Schools session 646 students attended.
2001 total amount alloted to the Governor’s Schools: $1,411,000.00 (1999 = $1,981.08 per student; 2000 = $2,036.11 per student; 2001 = $2,180.83 per student).

Students in the 10th and 11th grades who are interested in participating in the programs receive information from their school’s guidance counselor and then proceed with the application procedure.
Students selected to attend these highly competitive schools are provided housing and meals for the duration of the program, high school students must participate in a variety of courses that are offered. For example, there were 14 academic
courses offered to the 115 scholars at the Governor's School for the Humanities in 2001. All of the scholars were enrolled in courses at 9 a.m. and 10:15 a.m. This particular course was designed to provide intellectually gifted and talented students throughout the commonwealth: Academic-Year Governor's Schools, Summer Regional Governor's Schools, and the Summer Regional Governor's Schools. The Governor's School Program.

OBJECTIVE OF THE COURSE

To help future decision-makers use the principles of the American Creed to solve difficult, contemporary public policy problems. Students will first explore America's system of government and how it differs from other countries—including other Western democracies. Then, each session will produce professional products as assignments: one-page analysis of the week's problem. (This will be during those weeks other than reading) that requires preparation outside class and all decision memos and weekly policy briefings. All briefings are conducted in class and all decision memos and weekly outlines are due at the beginning of the corresponding class session. There is no final exam, but there will be a final paper.

GRADING

Briefings (2): team exercise 20 percent. Two times during the course each student will participate in a team briefing on that week's subject.

Memos (2): team exercise 20 percent. Two other times during the course each student will prepare a one-page analysis of the week's problem with a sign-up sheet provided at least two weeks in advance. The student is expected to share these memos in class and all decision memos and weekly outlines are due at the beginning of the corresponding class session.

Weekly Outlines (6): 20 percent. Six other times during the course each student will attend class prepared to provide a team briefing and may also be e-mailing to lamar_alexander@gs.harvard.edu.

OFFICE HOURS

Office hours will generally be on Tuesdays and Wednesdays. A complete course calendar will be posted outside Professor Alexander's door. Appointments may also be made by e-mailing kay@lamaralexander.com

MATT SONNESYN will be course assistant for PAL 223 and may be reached by email at matthew_sonnesyn@ks.g02.harvard.edu.

EXPECTATIONS

This is a graduate level professional course and will have the corresponding standards and assignments. All scheduled classes, assignments completed on time, and evaluation according to students' performance on professional products: realistic decision memos, memo outlines, and policy briefings. All briefings are conducted in class and all decision memos and weekly outlines are due at the beginning of the corresponding class session. There is no final exam, but there will be a final paper.

In thanksgiving remarks President Bush praised the nation's response to September 11, "I call it," he said, "the American Character." At KSG Al Gore said, "We should [fight] for the values that bind us together as a country". Both men were invoking a creed of ideals and values in which most Americans believe. "It is a creed that America is created equal, and that God guides us," said President Bush. In his book, "The Faith of a Public Life," Richard Hofstadter wrote, "not to have ideologies but to be one." This value-based national identity has inspired both patriotism and social disunity and hatred abroad. For terrorists as well as for those who admire America, at issue is the United States itself—not what we do, but who we are. Yet Americans who unite on principle divide and suffer disappointment when using their creed to solve policy problems. This is because the values of the creed conflict (e.g., liberty vs. equality, individualism vs. community) and because American dreams are loftier than American reality (e.g., "all men are created equal", "tomorrow will be better than today"). Samuel Huntington has said that balancing these conflicts and disjunctions of American political and government is about. That is also what this course is about.

Audiences

The course is designed for future policy makers, public servants, and journalists. A general knowledge of American politics is helpful but not required. It should be useful for both U.S. and international students serious about learning more about the American system of government and how it differs from that of other countries.

Instructor

Lamar Alexander, The Roy M. and Barbara Goodman Family Visiting Professor of Practice in Public Service, has been Governor of Tennessee, President of the University of Tennessee, and U.S. Education Secretary. He left the administration of Bright Horizons Solutions, Inc., now the nation's largest provider of worksite day care. His seven books include Six Months Off, the story of his family's trip to Australia after his resignation from the Governor's residence. In 1996 and 2000 he was a candidate for the Republican nomination for Governor of the United States. For more see www.lamaralexander.com

Course Assistant

Matt Sonnesyn will be course assistant for PAL 223 and may be reached by email at matthew_sonnesyn@ks02.harvard.edu.

Expections

This is a graduate level professional course and will have the corresponding standards and assignments. All scheduled classes, assignments completed on time, and evaluation according to students' performance on professional products: realistic decision memos, memo outlines, and policy briefings. All briefings are conducted in class and all decision memos and weekly outlines are due at the beginning of the corresponding class session. There is no final exam, but there will be a final paper.

Rationale for the Course

In thanksgiving remarks President Bush praised the nation's response to September 11, "I call it," he said, "the American Character." At KSG Al Gore said, "We should [fight] for the values that bind us together as a country". Both men were invoking a creed of ideals and values in which most Americans believe. "It is a creed that America is created equal, and that God guides us," said President Bush. In his book, "The Faith of a Public Life," Richard Hofstadter wrote, "not to have ideologies but to be one." This value-based national identity has inspired both patriotism and social disunity and hatred abroad. For terrorists as well as for those who admire America, at issue is the United States itself—not what we do, but who we are. Yet Americans who unite on principle divide and suffer disappointment when using
Final Paper: 25 percent.
Final grades will be determined by students’ overall position in the class as measured by performance on each of the assignments and will conform to the Kennedy School of Government’s recommended range of grading distribution.

MATERIALS

The course relies primarily on course packets to be made available for sale at the Course Materials Office. There will be 125-150 pages of reading each week. There are three required textbooks:
All three books are available for purchase at the Harvard Coop. Copies of all three books are on reserve in the KSG library.
Note: Readings from the three required textbooks or readings which are readily available online will be made available within the syllabus (hypertext links to the online readings may be found within the syllabus that is posted on the KSG website.)

EXAMINATION

The course has a limited enrollment. Auditors are permitted with permission of the instructor.

COURSE OUTLINE AND REQUIRED READINGS

25. My “ism” is Americanism—American Exceptionalism. How many Americans are different from one another? What makes us different?

G.K. Chesterton, What I Saw in America, Dodd, Mead & Co., 1922, pp. 6-12.
Seymour Martin Lipset, American Exceptionalism, pp. 17-34.

212: “...where at least I know I’m free ...” — Liberty. Should Congress repeal President Bush’s executive order allowing non-citizens suspected of international terrorism to be detained and tried in special military tribunals?
Alexis de Tocqueville, Ibid., pp. 239-242.

http://memory.loc.gov/const/constqury.html.

Alexis de Toqueville, ibid., pp. 229-231.


Tennessee Acts Section 8-1-107.


www.lamaralexander.com/articles

www.lamaralexander.com/articles

Alexis de Toqueville, ibid., pp. 56-58, 577-8, 489-92.


Samuel P. Huntington, American Politics: the Promise of Disparlory, pp. 240-262.


Aristotle, “Politics”, from Ravitch and Thernstrom, pp. 9-12.


Samuel P. Huntington, American Politics: the Promise of Disparlory, pp. 240-262.


the American people and made this the kind of country that it is.
I congratulate the Senator for his inspired speech and the work he has done on this bill. I have heard the Senator speak on this bill and have seen his passion on it before.

Mr. President, I also ask unanimous consent to be added as a cosponsor of the bill.

The PRESIDING OFFICER (Mr. Cornyn). Without objection, it is so ordered.

Mr. ENZI. I thank the Senator for all his efforts.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

So I applaud the Senator from Tennessee for his very inspiring comments. I am part of the new class of Senators. I will have an opportunity to give my maiden speech, though obviously I have spoken on the floor before.

I thought this was an important maiden speech. This was the first of the speeches of the new Senators of the 108th, and I think it was the right speech. We are going to discuss a lot of issues, and these very challenging times—a time when we are on the edge of war, a time in which the values we hold so dear are challenged by terrorists, are challenged by oppression, and challenged by hate.

We live in a time of great uncertainty about the economy, about jobs, with moms and dads who worry about their economic futures.

So we are going to debate a lot of issues. We are worried about the future of health care and the future of prescription drugs for seniors. We are worried about baby boomers who are going to get old—and do we have a national policy dealing with long-term care?

But at the core of all that we debate is this very fundamental concept that the Senator from Tennessee has raised: that is, What does it mean to be an American? What does it mean to celebrate freedom, to celebrate opportunity, and to be an optimist and have a hopeful spirit?

So I applaud the Senator from Tennessee for, in his maiden speech, setting forth the seminal concept that binds us.

I have noticed, with a little bit of sadness, the very partisan tone of so much of what we do. And I have always believed if we spent more time focusing on the things upon which we agree, rather than things on which we disagree, we would get through those. I think there is great agreement in this body on what we agree on, and that is what it is to be an American.

I think it is important to transmit those values to the next generation so that the next generation can reinforce that to our generation because sometimes we forget.

So, again, I add my voice of thanks to the Senator from Tennessee for raising this issue. It is so appropriate at this point in time.

Mr. President, I also ask unanimous consent that I be added as a cosponsor on the Senator’s legislation.

The PRESIDING OFFICER. The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I congratulate my colleague, through the Chair, for his words of inspiration. This concept which, as he has been writing for many years, He is an excellent writer. I didn’t realize, until I had occasion to visit with Bob Novak a few weeks ago, that he and Evans had written a history book in 1967 dealing with the life of Lyndon B. Johnson. I am in the process of reading that book. I am probably about halfway through the book. It is tremendously interesting. For those of us who read the Caro work, I recommend the book by Novak. It is very readable. They were then at their time. The things that went on, for example, in the Civil Rights Act of the late fifties—our colleague Strom Thurmond debated that matter. He stood up himself in a filibuster. Senator HATCH, my friend from Utah, talks about real filibusters. That was a real filibuster. Senator Thurmond alone spoke for more than 24 hours.

It really threw the southern coalition off because they, in effect, made a deal with Lyndon B. Johnson and Strom Thurmond. It threw a monkey wrench into the so-called deal. Anyway, it is very interesting.

History is living what took place in the past. For us, it is the ability to learn from what has happened in the past to try to do a better job in the future.

My friend from Tennessee, wrote this legislation, and I am happy to work with him on it; it is great. The legislation set up academic programs on the Internet for best teaching practices. The education of America’s children must be one of our top priorities.

Our schools have several important goals, including providing students with a foundation for higher education, helping them develop individual potential, and preparing them for successful careers.

America has been a nation of immigrants for hundreds of years, and our schools have helped instill in our diverse population a sense of what it means to be an American and prepare our youth for the responsibilities of citizenship. We need to reaffirm the importance of learning American history and acquiring civic understanding.

That is what this legislation is all about.

As I work to make sure Nevada schoolchildren are connected to the Internet and the future, I also want them to be connected with America’s past and know the common values in history, binding together all who live in our great Nation.
I commend and applaud the junior Senator from Tennessee, LAMAR ALEXANDER, for offering this legislation. It is important legislation. He said in his statement that Senator GREGG, who chairs the committee of jurisdiction on this legislation, will hear the bill to the Senate floor quickly. I hope that happens. I do hope my Republican colleagues will join with me in adequately funding this program so we can establish in grades K through 12 these academies where teachers can go to summer school, learn history and how better to teach history. It will only improve our country and our educational system in particular.

Under the previous order, the second 30 minutes shall be under the control of the Senator from Alaska, Ms. MURKOWSKI, or her designee. The Senator from Alaska.

EXPRESSING SUPPORT FOR THE PLEDGE OF ALLEGIANCE

Ms. MURKOWSKI. Mr. President, I send a resolution to the desk and ask unanimous consent that it be held at the desk.

Before the Chair rules, I add that it is my hope, and the hope of many Members on this side of the aisle, that we can get this resolution cleared for adoption today.

The PRESIDING OFFICER. Without objection, the resolution will be held at the desk.

Ms. MURKOWSKI. I thank the Chair. Mr. President, I am pleased to be joined by the Republican whip, Senator MCCONNELL, in introducing a resolution the last week’s Pledge of Allegiance ruling by the full Ninth Circuit Court of Appeals.

The full court refused to review a three-judge panel ruling that bars children in public schools from voluntarily reciting the Pledge of Allegiance. Lance is symptomatic of a court that has become dysfunctional and out-of-touch with American jurisprudence, common sense, and constitutional values. The full Ninth Circuit decision on the pledge represents a type of extremism carried out by individuals who want to substitute their values in place of constitutional values. What they want to do is simply eradicate any reference to religion in public life. That is not what the First Amendment mandates.

In his dissent from the court’s decision, Judge O’Scannlain, writing for six judges, called the panel decision “wrong, very wrong—wrong because reciting the Pledge of Allegiance is simply not a ‘religious act’ as the two-judge majority asserts, wrong as a matter of Supreme Court precedent properly understood, wrong because it set up a direct conflict with the law of another circuit, and wrong as a matter of common sense.”

He went on to say: “If reciting the pledge is truly ‘a religious act’ in violation of the Establishment Clause, then so is the recitation of the Constitution itself, the Declaration of Independence, the Gettysburg Address, the National Motto or the singing of the national anthem,” verse of which says, “And this is our motto: In God is our trust.” I believe the reasoning of Judge O’Scannlain is absolutely correct. One should not be surprised that the full Ninth Circuit refused to reconsider this ill-conceived decision. The recent history of the Ninth Circuit suggests a judicial activism that is close to the fringe of legal reasoning. During the 1990s, almost 90 percent of cases from the Ninth Circuit reviewed by the Supreme Court were reversed.

In fact, this is the court with the highest reversal rate in the country. In 1997, 27 of the 28 cases brought to the Supreme Court were reversed—two-thirds by an unanimous vote.

Over the last 3 years, one-third of all cases reversed by the Supreme Court came from the Ninth Circuit. That’s three times the number of reversals for the next nearest circuit and 33 times higher than the reversal rate for the 10th Circuit. Last November, on a single day, the Supreme Court summarily and unanimously reversed three Ninth Circuit decisions. In one of those three cases, the Supreme Court ruled that the circuit had overreached its authority and stated: ‘‘(t)he limits imposed on federal habeas review . . . substitut[ing] its own judgment for that of the state court.’’

One of the reasons the Ninth Circuit is reversed so often is because the circuit has overreached its authority and imposed limits on federal habeas review. The circuit serves a population of more than 54 million people, almost 60 percent more than are served by the next largest circuit. By 2010, the Census Bureau estimates that the Ninth Circuit’s population will be more than 63 million.

According to the Administrative Office of the U.S. Courts, the Ninth Circuit alone accounts for more than 60 percent of all appeals pending for more than a year. And with its huge case load, the judges on the court just do not have the opportunity to keep up with decisions within the circuit, let alone decisions from other circuits.

In a New York Times article last year it was pointed out that judges on the circuit said they did not have time to read all of the decisions issued by the court. According to a 1999 report, 57 percent of judges in the Ninth Circuit, compared with 86 percent of Federal appeals court judges elsewhere, said they read most or all of their court’s decisions.

Another problem with the Ninth Circuit is that it absolutely speaks with one voice. All other circuits sit as one entity to hear full-court, or en banc, cases. The Ninth Circuit sits in panels of 11. The procedure injects randomness into decisions. If a case is decided 6 to 5, there is no reason to think it represents the views of a majority of the court’s 24 active members.

Last week, some legal experts suggested that the Ninth Circuit’s unique 11 member en banc panel system may have contributed to the courts’ decision on the pledge. It has been suggested that even a majority of the 24 members of the court might have disagreed with the pledge decision but that the nine judges of the en banc panel voting to hear the case might have resulted in the decision being affirmed.

That is not the way the law should be interpreted by the circuit courts of this country. I believe the high rate of Appellate decisions affirming the Ninth Circuit declaring the phrase “under God” in the Pledge of Allegiance to be unconstitutional. You have to ask yourself: What is the problem? Is the problem the pledge or is the problem the Ninth Circuit?

The distinguished Senator from Tennessee today in his maiden speech talked about what it is to be an American and made reference to this particular issue. The Pledge of Allegiance does speak to what is great about America, our sense of unity and—to quote the Senator from Tennessee—our sense of faith, our value of freedom. It is who we are as Americans that joins us together.

If we reflect on the prayer that opened the session today, the pastor talked about prayer and whether it is Allah or whether it is Jesus, whether it is Yahweh, we are joined with a common purpose of faith that allows us to open the doors to the Chamber across from where the Presiding Officer sits is the phrase: “In God We Trust.” We understand that. We accept that. We understand it is not the State saying this is State-sponsored religion. It is simply our recognition of faith as being part of who we are and that is OK.

If I would take out a dollar bill, if I had one in my pocket, we would see reference to God. This decision defies common sense. It is because we have a court that substitutes its judgment, its own perhaps personal political perspective in ruling from the bench, and that is not what courts are supposed to be. I spoke with our Solicitor General of the State of Minnesota. I understand the Constitution. I respect the Constitution. I revere the Constitution. Clearly, our Founders and Framers, in their brilliance, in their foresight, and I believe in their being divinely inspired, understood that it was in God we trust. A decision somehow that says it is unconstitutional truly defies common sense.