

Mr. LEAHY. Mr. President, is the Senator from Vermont correct in understanding when all time is yielded back it is, indeed, passed?

The PRESIDING OFFICER. That is correct.

Mr. LEAHY. I yield back time on this side.

Mr. MCCONNELL. Mr. President, I yield whatever remaining time I may have.

The PRESIDING OFFICER. In light of yielding back the remaining time, under the previous order the conference report is agreed to and the motion to reconsider that vote is laid upon the table.

The conference report was agreed to.

MORNING BUSINESS

Mr. BURNS. Mr. President, I ask unanimous consent that there now be a period for morning business until 2 p.m., with each Senator permitted to speak up to 10 minutes.

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

Mr. BURNS. Mr. President, I see my friend from New Mexico on the floor. I would like to make a brief statement and then yield the floor to him, if he doesn't mind.

REMARKS OF ASSISTANT SECRETARY SARA LISTER AND THE MARINE CORPS

Mr. BURNS. Mr. President, I rise today to express my grave disappointment in the statement that Sara Lister, the Army's Assistant Secretary for Manpower and Reserve Affairs, made in reference to the U.S. Marine Corps. We just finished Veterans Day, and November 10 is traditionally the Marine Corps' birthday. So I guess her sense of timing is unbelievable. But, basically, this is what the Assistant Secretary said: "The Marines are extremists" and "wherever you have extremists, you've got some risks of total disconnection with society."

For whatever I have done with my life personally, I attribute some of what I learned in the U.S. Marine Corps. I think the statement that she made is grossly unjust, and is an affront to every person who has ever worn the uniform of the U.S. Marine Corps, or to any person who has worn any uniform of the Armed Forces of this country, and those who have died for the very freedoms that we Americans, even Ms. Lister, enjoy today and every day.

Mr. President, back in 1955, we were taught that the code of the corps is honor, courage, and commitment—honor in the defense of freedom, courage in the face of adversity and commitment to the members of your unit but, more important, to those folks at home.

I am very proud to say that these principles have guided my life, and I hope that these would be the principles that our society could emulate, not

values that should be considered "disconnected" with the norm. I am wondering who is really disconnected here.

The corps has always presented to its new members a challenge for higher standards and higher achievements. In its 222-year history, they are incomparable and, yes, they are the guiding light of all services and something of which every American can be proud.

I understand Ms. Lister has sent an apology to the Commandant of the Marine Corps, General Krulak. That might be enough for him, but it is not enough for me. She claims that she was quoted out of context. I don't accept that either. No one service should be placed over another. Nobody has a corner on bravery or valor or commitment to this country. But you must remember that it was these men and women who fought and died for the blessings of liberty for our Nation, and no one should forget that their words still reflect today.

So I am saying Secretary Lister should resign her post, because I personally think that she is unfit to serve in a leadership position in the military of this Nation. I am very sad about this day.

GALLATIN EXCHANGE

Mr. BURNS. Mr. President, we just introduced a placeholder in a bill on the Gallatin exchange to preserve that option. It expires December 31. It is a land exchange in the Gallatin National Forest. I support that land exchange. I did not want to get into an adjournment situation and let the time run out and not have a placeholder, because I am concerned about one area in particular, as is everybody. I heard the concerns of my constituents in the Bridger Bang Tail area of the Gallatin National Forest and in the Taylor Creek area. This area has to be kept in the condition that it is now because it is probably the most important migration area for wildlife we have from Yellowstone Park into Montana and out of Montana. This is a migration corridor that must be protected.

We have an obligation to complete this land exchange. It is a good land exchange. It is the right thing to do for that particular part of our country, and I will support it. Of course, the delegation from Montana will get together and work out the details. But I wanted to put that in there to make sure that our options are left open when Congress comes back into session, because I feel very strongly about this area, about the preservation of this area in the management of forests, especially in very fragile areas and in areas that are very, very important to the migration of wildlife, in particular elk and deer. We have introduced that placeholder for those reasons today.

Mr. President, I yield the floor.

Mr. BINGAMAN addressed the Chair. The PRESIDING OFFICER (Mr. COATS). The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that I be allowed to

speak for up to 15 minutes as if in morning business.

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

PRIVILEGE OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent that David Schindel, who is a fellow in my office, be granted the privilege of the floor for the remainder of this period of morning business.

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

ADVANCED TECHNOLOGY TO IMPROVE EDUCATION

Mr. BINGAMAN. Mr. President, as we prepare to complete this first session of the 105th Congress, I want to take a moment to look back at one of the great bipartisan accomplishments that we have made this year, and also to look forward to some important work that still lies ahead.

I am referring specifically to the work we have been able to do in putting advanced technology to work to improve education in the country.

Technology and better use of technology is critical in my home State of New Mexico. It is a big State. We have only a few concentrations of population and economic activity, and technology offers us a way to bring communities closer together and offers us a way to eliminate the gaps that separate the "haves" and the "have-nots" in our State and throughout the country.

In more than half of American households with incomes of over \$50,000, the children have access to a computer at home. But in my State the average family earns about \$26,000, and in that income range the estimate is that one in four children in those homes will have access to a computer.

We need to do better in the public sector, Mr. President, in providing technology in our schools so that we can use technology to narrow the gap between the haves and have-nots, rather than to allow that gap to increase.

In the past year, several magazines have published articles that have challenged the idea that technology in schools can really improve education. The Atlantic Monthly had a cover story called "The Computer Delusion." There have been articles that consider computers in schools to be "snake oil" or "the filmstrip of the 1990's," just to cite some of the phrases used.

Those articles are one reason I was interested in several recent reports that have reviewed the hundreds of research studies on the effects of educational technology on student achievement. The Educational Testing Service [ETS] did a report. Also, there has been a study commissioned by the Software Publishers Association [SPA]. The research results are uneven, but there are solid peer-reviewed studies that show significant improvement in

student performance and attitude in all age groups and all subject areas through better use of technology. Overall, technology-based instruction is 30 percent more effective in improving student achievement than instruction that does not include the use of technology. This is the equivalent of about 3 months of additional learning each year for our students.

The findings of these studies validate the Federal investment in education technology that we have made. I introduced the Technology for Education Act in 1994, and it became law later that year. But when it did become law, I don't believe any of us could have predicted the progress that could have been made in these 3 short years. Let me show you some charts, Mr. President, to indicate the progress that has been made.

This first chart, I think, makes the case very dramatically. It is a chart that demonstrates computer availability, that is, the students per computer, from the period 1983-84 through this just-completed school year, 1996-97. You can see the dramatic improvement that has occurred. In 1983-84, there were 92 students per computer in our public schools in this country. In this last school year, there were seven students per computer. That is significant progress. Computers have become much more available to students than they ever were before.

Let me show another chart that is an indicator of the progress that has been made. This is a chart that shows connections to the Internet. It shows how those connections have continued to increase rapidly: 65 percent of schools are now connected to the Internet. That is this green line on the chart. It indicates 65 percent are now connected. Only 14 percent of our classrooms are connected, but that number is also increasing rapidly. Real progress is being made there as well.

This past summer, the Federal Communications Commission approved plans to implement the universal services fund that will provide schools and libraries with \$2.25 billion in communications discounts next year. Thanks to the leadership of Senators SNOWE, ROCKEFELLER, EXON, and KERREY, schools will have affordable access to the Internet over the coming years.

So looking at these very positive trends, one would think that students are using computers a lot more, but that is not really the case, Mr. President. Let me show you one more chart that indicates the concern I have.

This is a chart from a recent report by Education Week, a publication entitled "Technology Counts." It shows that more than half of the eighth grade math students never or hardly ever use computers in their classrooms. Only 12 percent use computers almost every day. In my State, the numbers are even more startling. Two-thirds of the eighth grade math students indicate that they hardly ever use computers; 11 percent in my State indicate that they

use computers almost every day. This chart is a graphic depiction of those statistics.

Another recent report by the CEO Forum, the Chief Executive Officers Forum, supports this same finding. Only 3 percent of schools have fully integrated technology into teaching.

This means that we're making progress in some places, but that some important barriers are stopping our progress in other schools.

This past weekend, the Congress passed the spending bill for the Department of Education, and I was privileged to be at the White House this morning when President Clinton signed that bill. It contains significant increases for programs authorized by the bill that I introduced back in 1994.

Let me show on this final chart that I have here this afternoon some of the increases that we have been able to accomplish in a bipartisan way this year.

In the technology literacy challenge fund—that is grant money that goes to States and school districts to support better use of technology—in fiscal year 1997, we appropriated \$200 million. In the bill signed by the President today that number goes to \$425 million. So it is more than twice the amount of funding.

In the technology innovation challenge grants the figure for 1997 was \$57 million. The figure for 1998 is \$76 million.

This year, for the very first time, we have funds earmarked to go specifically to train teachers to use technology more effectively. That is \$30 million that was added in by the appropriators, and I think very wisely added. I think we have all begun to recognize that that is an item that needs additional attention.

This last item is crucially important. We need a balanced investment in technology. Balanced investment in educational technology means more than just buying the right hardware and software, it means investing in the training of the teachers and the administrators to use the software and the hardware.

Experts say that we should invest 30 percent of our technology budget in training. Nationally, we are investing less than 10 percent in training today. In my State, the estimate is that we are investing less than 5 percent of the funds that go into educational technology in the training of teachers to use that technology. Lack of teacher training will be the biggest barrier that we have to progress in this area.

This problem is described in a report entitled "Technology and the New Professional Teacher: Preparing for the 21st Century Classroom."

That is a report from the National Council for Accreditation of Teacher Education [NCATE]. They indicate that 2 million new teachers will be hired in the next decade.

Here is a quote from that report. It says:

If teachers don't understand how to use technology effectively to promote student

learning, the billions of dollars being invested in educational technology initiatives will be wasted.

Colleges of education clearly need to change the way they train new teachers. And if today's teacher candidates are taught with technology, then they will teach using technology themselves.

So that is why I introduced earlier in this Congress the Technology for Teachers Act and worked for the \$30 million appropriation that I just referred to. Clearly, Senators HARKIN and MURRAY here in the Senate deserve great credit for their support and their advocacy on these issues as well.

The appropriation will provide competitive grants to States and will support growth and dissemination of the most effective programs for teacher training in the use of technology.

This \$30 million, as I see it, is a downpayment on what will need to be a very long-term investment in tomorrow's teachers. And I intend to work for, at least, a doubling of that in next year's budget. I think that is clearly the direction we need to move in.

The Federal Government plays an important role in promoting the use of technology in education. But there are obviously other extremely important participants. The States and the school districts are developing challenging new standards. University researchers are discovering diverse ways that people learn.

The role of the teacher is changing. The teacher is no longer going to be just a lecturer but rather a learning coach to the students. The software industry is developing powerful new learning tools.

All of these efforts are pieces of a large and complex puzzle. Without a national strategy for coordination of these efforts, and without reliable data on what works, we will never get all of the puzzle's pieces to fit together.

I am interested in what I read in a recent report from the President's Committee of Advisors on Science and Technology [PCAST]. That report stressed the need for more research as we introduce more technology into our schools. We need to study which approaches in this area are most effective, and we need to determine the best investment mixture among hardware, software, training, and other categories.

As we come to the end of this Congress, I ask my colleagues to join me next year as we build on the progress that has been made here, the very substantial bipartisan progress. We need to take some new steps in promoting education technology. We need to continue our investment, of course, both in computers and in Internet connections. We need to increase substantially the investment in teacher training. And we need to promote new investments in research on the effective use of educational technology.

The Federal Government can play a crucial role by promoting greater coordination and collaboration among

the private sector and university researchers and educators and State and local governments.

There are several ways to accomplish this. We can do so through a federally funded research and development center, or a consortium of private firms, or a network of universities and schools and companies and agencies. The participants will have to make the final decision as to what mechanism works best.

The cost of this initiative, like the decisionmaking process, should not be the sole responsibility of the Federal Government. The costs should be shared by all the participants.

Mr. President, I am proud of the progress that we have made on providing educational technology so it can be used to upgrade education in our schools. And I am very encouraged by the data that shows the first beneficial impacts in our schools, but we have a great deal left to do. The President and many here in Congress deserve credit for the progress that has been made, but obviously their continued effort will be needed in the future.

The private sector, universities, and educational agencies need to work together to create a new culture of collaboration that will give teachers and their students the full benefit of these new technologies that are being developed.

Mr. President, on a personal note, I also want to particularly acknowledge the excellent work that David Schindel has done as a fellow in my office throughout the year on this issue of educational technology, as well as several other issues. His accomplishments have been extremely useful to me and I think to the Senate. I appreciate his good work.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ENZI. 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. ENZI. Mr. President, I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. The Senator from Wyoming is recognized to speak for up to 10 minutes in morning business.

Mr. ENZI. Thank you, Mr. President.

THE STATE ENVIRONMENTAL AUDIT PROTECTION ACT

Mr. ENZI. Mr. President, I come to the floor—in the waning hours of this session—to express my continuing frustration with the way that the Environmental Protection Agency is handling Wyoming's environmental audit law. The troubles began last September, when the EPA delayed granting final approval of Wyoming's clean air permitting plan.

Earlier this year, I joined with the other Members of Wyoming's congressional delegation in sending a letter to Administrator Carol Browner at the EPA. We suggested that it was inappropriate to withhold delegation of Clean Air Act permitting authority because of the State's environmental audit law. Administrator Browner responded with an assurance that,

EPA has not taken steps to withhold further delegations of Federal programs in Wyoming as a result of the State environmental audit law.

In September, the EPA announced that it had completed its review of Wyoming's audit law. It found that,

The State won't need to make statutory changes to the self-audit law to retain primacy over Federal laws like the Clean Air Act.

The EPA went on to say that,

The law shouldn't interfere with the Wyoming Department of Environmental Quality's efforts to gain primacy over several other Federal programs.

Mr. President, in spite of Ms. Browner's assurances, there has been a very real and ongoing manipulation of States that attempt to craft sensible audit laws. I trust that my colleagues from Colorado, Utah, Michigan, and Texas would be able to verify that activity. Their States have all been coerced by the EPA into changing their audit laws.

On October 29, I introduced the State Environmental Audit Protection Act, which is S. 1332. This bill would provide a safe harbor from EPA's coercive actions for States that adopt reasonable audit laws. The next day, the Senate Environment and Public Works Committee held a very good hearing on the issue. We listened to an excellent panel of witnesses on both sides of the issue. Both myself, and Senator HUTCHISON of Texas—who has also introduced legislation to resolve this problem—testified on the need for Federal legislation.

I was interested to read in the paper on October 30, the day after the hearing, that the EPA is now requiring Wyoming to change its law. The EPA has submitted legislation to a special session of the Wyoming legislature. On Monday, a joint committee in Cheyenne heard preliminary testimony on the revisions. The proposal would strike at least 50 percent of Wyoming's law regarding discovery of evidence in criminal proceedings.

A State environmental audit law is designed to help clean up the environment. In Wyoming, we created our State law to provide incentives for good faith efforts. We thoroughly debated this issue in the Wyoming State legislature. We consulted with the State Department of Environmental Quality and different stakeholder groups. We wanted to provide a mechanism that would encourage people to make an extra effort—an extra effort—to clean up the environment in their communities. We debated it in a Democratic forum and we passed a consensus bill. And we passed it by more than a two-thirds vote in each body.

Our State law allows an entity to hire an auditor to review their operations. The entity might be a town that is trying to examine its storm drainage system. It might be a hospital that wants to review its air emissions. It might be a college or school district whose vocational education department uses solvents. It might be a company that maintains a construction yard, or a garage. These are all entities that may be affecting their environment without even knowing the consequences of their operations.

Some of them are on regular inspection schedules, but the majority of them will never be inspected.

How many of those entities would know, with 100 percent certainty, that they are in full compliance with all applicable State and Federal laws? How many of them think they are in compliance? How many of them don't know? How many inspectors are out there randomly checking these facilities?

These are questions I cannot answer. In fact, I asked a similar question to the Environmental Protection Agency in Senator CHAFEE's committee hearing. There was a general notion of how many EPA inspectors were employed, but they did not know how many total inspectors are out there. Furthermore, they could not say what percentage of regulated entities were on an actual inspection schedule.

There is one simple question here that I can answer. That is, how many of those regulated entities would ask an EPA inspector to come around and take a look? How many of them would trust the EPA to offer friendly advice.

The answer to these questions, my friends, is zero. People don't trust the EPA any more than they trust the IRS.

The fact is, Mr. President, most of these entities are afraid of the EPA. Most of them are unaware that their operations could land them in Federal court. They are unfamiliar with the regulations and they are afraid to find out if they are in compliance. They are afraid because if they search for problems and find them, they may be fined and even sued. And if they are sued, their own review has given regulators a roadmap for prosecution.

No small business is going to spend money to hire an auditor to collect evidence for regulators to use against the small business. And I do not believe more heavy handed enforcement is the answer. We, as legislators, should be able to encourage entities to look for problems. We can design legislation that protects good faith efforts, without sacrificing traditional enforcement. We can design legislation that promotes cooperation toward a cleaner environment.

The EPA and the Department of Justice rely heavily on enforcement as a deterrent. But in spite of Vice President GORE's reinventing Government proposals—and in spite of President Clinton's commitment to reinventing regulations—neither the EPA nor the