

other grades, or to take steps to improve the quality of their teaching pool.

Class size reduction isn't some new national idea. Local students, parents, teachers, State and local policymakers have asked for this kind of national investment in class size reduction for years. My proposal emphasizes local flexibility in making improvements.

Mr. President, let me talk for a minute about the Ed-Flex bill. Both last year and this year I have been very supportive of the Education Flexibility Partnership Act. That is because I think to change thinking among local and State policymakers is a good thing. It frees them from some of the restrictions that may keep them and our public schools from becoming the best that they can be. But a change in thinking alone is not enough. Local schools need action. They need investment. They need resources in order to show measurable improvement for all children.

With class size reduction funds, we will have new, well-trained teachers so every child, every child in this country, grades 1 through 3, can get the attention they need and that they must have in order to improve the quality of their learning.

Once local educators have a plan for improving student achievement, we must make key investments at the national level to help them get the job done. This means funding class size reduction, teacher quality improvement, and school construction. It also means passing Ed-Flex, which we all want to do. Today is our best chance to pass both Ed-Flex and class size reduction and send a strong message to local educators that we have heard their concerns and we are responding. Congress does need to pass Ed-Flex, but, more importantly, it must pass the Murray-Kennedy amendment to reduce class size and improve teacher quality.

Mr. President, we have to continue to improve the effort that we began last year, right here, in a bipartisan effort to help local schools, local teachers, and local communities get the results they need. Schools across this Nation are fully engaged in this debate right now over quality in learning and in identifying what works to improve learning for students. Local education leaders know that class size reduction is effective. They know as they reduce class size they can also improve the quality of their local teaching pool by improving professional development, training certification and recruitment.

Local communities are using the Federal class size and teacher quality effort as a way to beef up their own investment in the future of young people. Governors and State legislators across this country are proposing class size investments this year based on our successful efforts of last year. They are watching to see whether or not we really mean that we are committed to class size reduction or it was just a political move from last year.

In Washington State, my home State, Governor Gary Locke and key State legislators are debating these investments right now in Olympia and watching what we are doing so there is an important reason right now to pass the class size amendment today. Local school districts, school boards across this country—and I was a former school board member so I know what they do in February and March; they put their budgets together for the following years—are looking to us to see if we are going to continue this investment so that they can begin to put their budgets together and hire the staffs they need to make a commitment to now, so when those first hires are made in July, they know that this just wasn't a one-time bill, but this bipartisan Senate and Congress, this administration meant what they said last fall when they said class size reduction is a national priority.

We cannot wait to pass this amendment. We need to do it now so that those school boards and those local communities know that we say what we mean and we follow up on it right here in Washington, DC.

I will be offering this amendment later. I hope to be talking again about it today. This is clearly an issue for which parents and communities are looking to us, to trust the Federal Government. Will they follow up on their word? Will they make an investment that actually makes a difference? As we go through this debate, I will show you, all of my colleagues, and the country, studies that show that class size reduction makes a difference in student learning. We have a responsibility as the Federal Government. We have to live up to our commitment and not just make promises about education but truly make investments that work.

I thank my colleagues for the time this morning. I look forward to their support in a bipartisan way for the class size amendment.

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

The PRESIDING OFFICER (Mr. AL-LARD). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 280, which the clerk will report.

The legislative clerk read as follows:  
A bill (S. 280) to provide for education flexibility partnerships.

The Senate resumed consideration of the bill.

Pending:

Jeffords amendment No. 31, in the nature of a substitute.

The PRESIDING OFFICER. Under the previous order, the Senator from New Mexico, Mr. BINGAMAN, is recognized to offer an amendment.

Mr. BINGAMAN. Mr. President, I thank you very much.

AMENDMENT NO. 35

(Purpose: To provide for school dropout prevention, and for other purposes)

Mr. BINGAMAN. Mr. President, I send an amendment to the desk on behalf of myself, Senator REID, Senator BRYAN and Senator LEVIN.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. REID, Mr. LEVIN and Mr. BRYAN, proposes an amendment numbered 35.

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, I am proposing the National Dropout Prevention Act as an amendment to this Ed-Flex legislation. As I indicated, the cosponsors of this amendment are Senators REID, LEVIN and BRYAN.

In my view, the amendment would create a much-needed program to target those schools in our country that have the highest dropout rates in the Nation. There is at present very little help from the Federal level going to some of these most troubled high schools, and the amendment is a valuable necessary addition to this legislation to begin moving ahead in solving this problem.

Improving our schools, as we are trying to do through the Ed-Flex bill and through many other initiatives in Congress, is not going to make a whole lot of difference if half or a third—some substantial portion—of our students have already left before they graduate and they are no longer in those schools to receive the benefits of that assistance. Efforts to provide better teachers, more flexibility, computers in the classroom, higher standards—all of those efforts—will be diluted if we continue to ignore the dropout crisis we have in this country.

We do have what I refer to as a dropout drain. This chart makes the point very graphically showing that—the bucket represents our school system—we have students coming out of the school system in very large numbers and not gaining the benefit of the education we are trying to provide.

At too many schools, dropout rates reach 30 percent and even 50 percent, according to a 1998 Education Week report. Most States do not publish cumulative data, but Florida recently found that its 4-year dropout rate approached 50 percent when they added the students who dropped out in the freshman, sophomore, junior and senior year. They got close to 50 percent in the State of Florida.

There are roughly 3,000 students who drop out on average each day in this country, according to the Department of Education statistics. About 500,000 students drop out of high school each year.

Let me indicate at this point, Mr. President, that the reason I am offering this legislation on the Ed-Flex bill early in this Congress is that if we go ahead and try to do this as part of the Elementary and Secondary Education Act, we will be talking about trying to do something 18 months down the road, because it is expected that the Elementary and Secondary Education Act will likely not become law until sometime late next year.

If that is the case, then we are talking not about 500,000 students per year, we are talking about a very large number of students who will, in fact, have left our schools with us sitting here trying to figure out what the right timing is to begin dealing with the problem.

These new dropouts will join about 4 million other young adults who are presently without high school degrees. There has been a lot of talk by the President and by many of us about ending social promotion, and we all favor ending social promotion. But if we pursue that, and pursue it with vigor, we may create an even greater risk for students dropping out of our school system.

Though dropout rates have not risen yet, higher standards mean more students become discouraged and fall through the cracks, unless there is some provision made to assist those students in meeting those higher standards. While some progress has been made for African American students, the real concentrated problem we have is in the Hispanic student population. Hispanic students remain much more likely to drop out.

Let me call people's attention to this chart called "Status Dropout Rates for Persons Ages 16 to 24 by Race Ethnicity for the Period October 1972 through October 1995." What you can see here very clearly is that the rate of dropouts in the Hispanic community is up in the range of 30 to 35 percent. The rate for black non-Hispanic students and white non-Hispanic students is substantially lower, down in the area of 10 to 15 percent.

So we have a very serious problem and one that we have not been able to address, and it most directly affects the Hispanic students in our country and in our State.

One reason I became interested in this, Mr. President, which should be obvious—I am sure it is obvious to my colleagues—is that a very large percentage of our population in New Mexico is Hispanic and particularly in the school system. A great many of the young people in our State are Hispanic, and the problem affects us in a very real way.

The annual dropout rate is almost 5 percent each year for all States. And

States, such as Nevada, where Senator REID, who is my cosponsor on this bill, and Senator BRYAN hail from, and Georgia and New Mexico, have a much more severe dropout rate.

Let me just say another word, before I go on to this chart here, about the issue of Hispanic students. The dropout rate for Hispanics has hovered near 30 percent for many years. That is more than three times the rate for white students, more than two times the rate for African Americans. The Hispanic population is the fastest growing population in our Nation, and many are being left behind in their educational opportunities while others are moving ahead. While the Hispanic students in our country make up 14 percent of all students now, they will comprise 22 percent by the year 2020. In large part due to differences in dropout rates, Hispanic workers earn only about 61 percent of what comparable non-Hispanic workers are earning. So you can see the problem is severe.

Referring again to this chart, unfortunately for Nevada, it is the State with the highest dropout rate. This is the dropout rate, on an annual basis, according to the Department of Education statistics. Twenty-nine States have provided annual dropout data. The other States have not provided that information. And, of course, they are not on this chart. But unfortunately, close behind Nevada and right behind Georgia is my own State of New Mexico, and the dropout rate there is 8.5 percent according to these statistics.

The National Goals Report—I serve on the National Education Goals Panel, Mr. President. And one of the discouraging things about serving on that panel has been that over the last several years—back in 1989, President Bush and the Governors met over in Charlottesville, VA, to set out national goals. And they had a very good vision of what they thought we ought to be trying to do as a Nation.

The second goal is that at least 90 percent of our students should graduate from high school before they leave school. Unfortunately, the reality is that we have not made progress on that. The National Goals Report, the latest National Goals Report, found that roughly 40 States have not made any progress in increasing school completion rates during the 10 years that we have had since that national education goal was agreed to.

Dropout rates affect more than just the students who leave school. Let me show another chart here which will make that point. While dropouts face a bleak future in terms of good jobs, communities that they live in are affected by higher crime, higher welfare rates, as well as very limited economic opportunity. 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 fin-

ished high school. The median personal income of high school graduates during the prime earning years, 25 through 54, is nearly twice that of high school dropouts. So we have a very serious problem here.

At the present time, there is no Federal program dedicated toward eradicating the problem. This \$150 million that we contemplate in this legislation, this amendment, would allow us to help 2,000 schools with the highest dropout rates throughout the country. With funds that they could receive from the State, these schools could restructure themselves in ways that have proven to lower dropout rates.

We do know some of the ways schools can lower dropout rates. We need to get that information out better, and we need to give schools the resources to act on that information. This is necessary because most Elementary and Secondary Education Act programs, including title I, which of course is the largest program we authorize through the Elementary and Secondary Education Act, do not reach significant numbers of high school students.

In our most troubled communities, this creates a very real dropoff in support services when students move from an elementary or middle school with a strong title I program. They get the assistance at the elementary level, and even at the middle school level, but when they get to high school, the assistance is not there.

Not even GEAR UP, which is a newly created tutoring program to help middle school students and provides real support to help schools make fundamental changes to the way they are organized and run, that program itself is not available to solve this problem.

Mr. President, this is not the first time that we have had a chance to act on this legislation. I offered this legislation last year to the bill which Senator COVERDELL had sponsored on education issues. It was adopted here in the Senate. We had 74 Senators who supported the exact legislation, identical legislation last year. It has been endorsed, this amendment, by the Council of Great City Schools, by the Hispanic Education Coalition, and by the Education Trust.

Local schools need to decide how best to address the problem in their community. And we are not trying to dictate what any local school does to solve this problem. The legislation gives districts the power to choose from a broad array of proven, effective approaches to the dropout issue.

As in the Obey-Porter program, States would receive funds on a formula basis identical to title I, and districts would compete for grants of not less than \$50,000 from the State.

The dropout problem can be addressed through school-based reforms. While many excuses are made for the dropout problems, in fact school-related factors are cited most often by the students themselves, the students who do drop out of school. When they are

surveyed and asked why they left school, in 77 percent of the cases, they cite school-related factors as the reason. These are students who are failing—who are failing—who do not like school—they do not get along with their teachers or their peers and basically have found that there is nothing there in the school to keep them there.

When you look at the top school-related reasons getting behind that other statistic, the top school-related reasons, the first or the most often cited top school-related reason is that they were failing or they could not get along with their teachers, and that is a reason for the students dropping out. They do not like school. They could not get along with students, felt they did not belong. They were suspended or expelled in 25 percent of the cases; and they did not feel safe in 10 percent of the cases.

These are school-related concerns which the schools themselves can begin to address, Mr. President. This is not something where we can say it is up to the parents. "If the kids don't want to go to school, it's the parents' problem, it's not the school's problem." That has been the approach we have taken for decades in this country to this issue, and it has not gotten us where we need to be.

Let me also talk about the size of schools. Small schools, academy programs, challenging material, alternative high schools, all of these have proven effective ways of addressing the needs of at-risk students in large, alienating, boring high schools.

Mr. President, it is clear when you begin looking at this problem—and I see it in my State—the problem is most severe in our large high schools, in our large middle schools where students feel anonymous, where there is very little interaction between the student and the teacher. And that problem is severe.

In particular, this program that we have proposed here will allow us to make large schools smaller without building new school buildings. School size does matter. Yet we are still forcing our young people to go to very, very large schools. And in some places they have taken the very innovative step of breaking large schools into smaller schools where you have schools within schools. And that is part of the solution, I believe.

In New Mexico and throughout the Nation, fewer than one out of three high school students goes to a school that has 900 or fewer students. That is the ideal size for a high school, according to studies that have been done nationally.

Part of the funding we are trying to obtain through this legislation would be made available to schools to restructure into smaller learning communities. More and more research is showing that large middle and high schools are alienating and anonymous places for children to learn. This contributes to their disinterest in school,

their lack of contact with caring adults. This bill would help large schools revamp themselves into smaller academies, schools within schools.

There is a reason why our private schools are doing well. One of those reasons is that most of them are very small. Clearly, we need to learn from that in the public school system. Schools with high dropout rates receive little, if any, Federal assistance in turning themselves around.

The vast majority of the Elementary and Secondary Education Act programs are targeted to our elementary schools. We need to restore the "S," which stands for secondary schools, in the ESEA legislation. ESEA stands for Elementary and Secondary Education Act. Unfortunately, we usually forget about the "secondary" education aspect of the Elementary and Secondary Education Act.

Addressing the dropout crisis in my State has become a real priority for me. We have made some progress in the last 2 years but we still have one of the highest dropout rates in the Nation, with over 7,500 students dropping out in the years 1995 and 1996.

In the most recent State-level report, New Mexico's annual dropout rate had fallen to under 8 percent, contrary to the statistic I had on the chart, but the rate is nearly 10 percent for Hispanic students and over 8 percent a year for Native American students.

There are innovative programs that will help us deal with this problem. In my State, we have a truancy prevention initiative in Clovis, NM. We have a Value Youth Program in Cobre High School in Grant County, NM. In Santa Fe we have a dropout prevention task force. We have a dropout czar who has been appointed in the Albuquerque schools.

Clearly, there is much more that can be done. This legislation will provide some of the resources to do that. I believe very strongly that this is something we should do now.

Before my cosponsor speaks on this issue, let me reiterate why we need to do this now. We should not be sitting around Congress biding our time and assuming that this is not a problem that deserves emergency attention. This is a problem that deserves emergency attention. It is in our best interests on a bipartisan basis to pass this legislation now, early in the session. I believe we can do that. I very much urge my colleagues to support the amendment.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, if I could engage in a conversation with the Senator from New Mexico, it is stunning to think that 3,000 children drop out of high school every day. Is that difficult to comprehend?

Mr. BINGAMAN. Visiting high schools, as I know the Senator has done a lot, you run into students on the verge of dropping out. You sit down

with students who have dropped out and are back in school and talk to them about the reasons.

There is a problem here that we have left unaddressed too long, in my opinion.

Mr. REID. We talk about this being an emergency. Think of the fact that 82 percent of the men and women in our prisons around this country are high school dropouts.

Mr. BINGAMAN. That is true.

Mr. REID. If we had no other statistic than that, it would seem this is an emergency.

Mr. BINGAMAN. That is exactly right. Clearly, if we can resolve this problem, reduce this problem, we will have an impact on the number of our young people who wind up in criminal activity. I think it is a priority for that reason as well.

Mr. REID. I also say to my friend from New Mexico, this is a good bill. The amendments that are going to be offered at the appropriate time dealing with class size and the number of new teachers—the Senator agrees with me that that is important?

Mr. BINGAMAN. Yes.

Mr. REID. But I believe there is nothing more important than keeping our children in school. All these other things I support, and I am behind them all the way. In fact, would the Senator agree with me that perhaps it is more important to keep our kids in school?

Mr. BINGAMAN. Mr. President, let me just respond by saying I think you can do an awful lot to improve the quality of education. If the students aren't there in the classroom to benefit from that, all of that effort goes for naught.

I do think we need to address this problem as we try to upgrade the quality of education. Clearly, this problem has gone unaddressed for way too long.

Mr. REID. Mr. President, I say to the Senator from New Mexico I went to a high school that had a few hundred kids in it. I moved from a very small rural town in Nevada to what I thought was a very, very big high school. The size of that school today is insignificant compared to the size of the high schools in the metropolitan Reno-Las Vegas area. There are numerous Las Vegas high schools that have over 3,000 students.

The Senator displayed a chart indicating the reasons kids drop out of school—failing, couldn't get along with teachers, didn't like school. Can you imagine how lost a person would feel coming from Searchlight, NV, which had 1 teacher teaching all 8 grades, to a school with over 3,000 kids? I think it would be easy not to like school, wouldn't the Senator think?

Mr. BINGAMAN. Mr. President, I agree entirely with the point.

I visited some of these very large schools in my State. The truth is, when they ring the bell to change classes, you almost have to get out of the way, because you are going to get knocked to the floor if you stay right out in the

middle of the hallway; there is such a rush of activity.

I do think there is a real problem in the size of our schools. Whenever you get a school that is so large that nobody really pays attention to whether or not a student comes to school in the morning, then the school is too large, in my opinion.

Mr. REID. I say to the Senator from New Mexico, he was always very faithful in attending when I had the responsibility of the Democratic Policy Committee and we did a retreat. And he will remember a woman by the name of Deborah Meier came to speak to the group of Senators assembled. As the Senator may recall, she had been an elementary school principal in New York in this very, very large public school. She came to the realization one day as principal of the school that she was basically wasting her time. The scores of the children were very bad; there was nothing she could seem to do that was right in helping these kids achieve.

So she went to the school board and said she would like to try a radical experiment: We have this elementary school; let's break it up into four separate schools. We will have four separate principals, four separate sets of teachers. It will be like four schools in one building. They will each have their separate identity, with separate names.

She has written a book entitled "The Power of Their Ideas." In this book she talks about this and how immediately the grades soared, the scores on their national tests soared.

Does the Senator remember that presentation?

Mr. BINGAMAN. In fact, I had the good fortune to go to that school in New York and see some of that success. It is a great success story and it shows the value of a small school where you have teachers and administrators and students and parents, all taking ownership in the education process. That is what she was able to create.

Mr. REID. I thank the Senator.

Mr. President, I express my appreciation to the Senator from New Mexico for his substantive contribution to what goes on here in the Senate. There are very, very few Senators in the history of this body who add so much substance as the Senator from New Mexico. He is a person who, by education alone, should contribute—Harvard undergraduate, Stanford Law School. But it is more than just the education. He has put his education and his experience to the benefit of the people of the State of New Mexico and this country.

There is no better example of that than this legislation which I am honored to be able to cosponsor with the Senator. Again I repeat, of the people in prison today, if there were 100 people in prison in our country today, 82 of those prisoners would never have graduated from high school.

Let's say there were 1,000 prisoners in America today; 820 of those would never have graduated from high school. If there were 10,000 prisoners, 8,200

would never have graduated from high school—and on and on, until we get to the point where we have approximately 1 million people in prison today, and 820,000 of those have never completed high school.

Mr. President, every day, 3,000 children drop out of high school. Every day. It would seem to me that there should be no greater concern in this body than making sure that that does not happen.

Now, I don't expect magic to occur tomorrow after this legislation passes, and that we are going to have all 3,000 children stay in school, but let's say that we could make some progress so that only—I say that with some trepidation—only 2,500 dropped out every day. That would mean 500 children every day would be children who could arrive at a better life. They would be able to achieve what they should be able to achieve.

The concerns that we have with this dropout rate is magnified every day when you read in the paper about people doing things wrong. Most of them are high school dropouts. And 500,000 students dropped out of school before graduating from high school every year. I am sorry to say that dropout rates are the highest in the southern and western regions of the country.

I am very embarrassed to say that in the State of Nevada, 1 out of every 10 children drop out of high school. I wish we did not lead the country, but we do. We have to do something to change dropout rates all over the country. Of course, Nevada, as I have said, leads the Nation, but no one else should feel very high and mighty about the fact that only 8 or 9 out of 100 drop out in other States. It is too many. We have to make sure that there is progress made in lowering the national dropout rate.

Why do children drop out of school? The reasons are diverse. We talked about some of them with Senator BINGAMAN earlier. We must invest in diverse, innovative solutions to help kids stay in school. What we are talking about here, Mr. President, is not some vast Government program. In fact, the same legislation that we are talking about today, Senator BINGAMAN and I offered last year in the form of an amendment, and it passed. We got 74 votes in the Senate, but it was killed in the House. I hope we get more than 74 votes this time. I can't imagine how anyone could vote against this legislation.

We are asking that there be \$30 million a year for the next 5 years—a drop in the bucket out of the \$1.5 trillion we spend basically every year—establishing within the Department of Education a division, a bureau, the sole responsibility of which would be to work to keep kids in school. They would do that by looking around the country at programs that are successful. There are some that work pretty well. We would tell school districts to apply for a grant, a challenge grant, and we would

give them the money to implement that program.

This would not mean the Federal Government is micromanaging what goes on in school districts. The school districts would manage every program the Federal Government would assist them with. There are some really fine programs around the country. In fact, on a web site, every month, there is a model program dealing with dropouts. Every month, they put on the web site a program that they think should focus attention on keeping kids in school. The model programs in March were called the Truancy Intervention Project and Kids in Need of Dreams. The pseudonym is TIP and KIND. These programs have dealt with kids of all levels. We can't just go to a high school and say that is where we are going to start keeping kids in school. We have to work from the time they start kindergarten. It is a program that kids don't just drop out of school in the 9th, 10th, 11th or 12th grades. Their inclinations and feelings about school develop much earlier than that. That is why I talked with the Senator from New Mexico about the great program in New York where they broke up a very big elementary school and suddenly found that the kids weren't slower than other kids, that they weren't less inclined to learn than others; they just needed a setting for learning. That is why we need to have this bill passed, so that schools around the country that are having problems with dropout rates can at least meet part of their needs.

The program I talked about—the model program in the month of March—is a program whose objective was to provide an early positive intervention with children reported as truants, because truancy usually characterizes other symptomatic behavior. TIP volunteers work to determine and satisfy their clients' needs so that the clients may return to school. The program works to meet the daily necessities of clothing, water, heat, transportation and long-term needs. They even go into drug, psychiatric, tutoring and child care. It is a program used in Fulton County, GA. Its funding came from an Atlanta law firm and other private donations—the law firm of Alston and Byrd. As I say, this is the model program of March on this web site.

In Las Vegas, at Horizon High School in the Clark County school district, there is a program there dealing with teen mothers and fathers and pregnant teens. This is a program that is part of the alternative education project that facilitates high school graduation of teen parents and pregnant teens by providing quality day-care services. There may be some who say, Why should the school district get involved in such a program? Well, as the Senator from New Mexico mentioned, we are going to cut back on social promotions, but we don't want to dump out in the streets all of these kids who

are not going to be socially promoted. We need programs to get them into the next level honestly. We can do that with summer alternative programs, afterschool programs, tutoring programs. When a child, for whatever reason, becomes a parent, he or she should not automatically have to drop out of school. That is why the program in Las Vegas is something that I think deserves national attention.

These classes are set up to keep these kids in school—kids having kids—and are structured to provide these children with skills in listening, speaking, independent thinking, and even personal hygiene. There are programs in the Western States—and I am certain the Senator from New Mexico can appreciate that. We have programs where we focus on Indian children. There is a program in the Washoe County school district that focuses on keeping Indian students in school. There is a tremendously high dropout rate with Indian children. The program that is being tested really to work with these children is one that I think will work very well; it is called Phone Work. It is a voice mail approach to assist parents and teachers in the monitoring of the students' homework assignments. Parents are able to leave recorded messages for the teacher, providing a two-way communication between home and school. The teacher's responsibilities include recording daily assignments by a certain time of day, verifying each student's class assignments, written in the Phone Work assignment book, and that each student takes home books and materials that are needed. Student responsibilities include recorded homework assignments, taking books and materials home, and having parents check completed assignments and assign a designated time and place for a student to study. These are details that some may think are not important, but if you are trying to keep children in school—and there are some difficulties because the parents work, but this system allows, through the telephone—a program called Phone Work—that the teacher and the parent keep in touch and work to keep this child in school.

One of the programs that I have worked on and have been impressed with is a program called OLA in Carson City. Surprising to most people is the fact that Nevada has a large number of Hispanic students, Hispanic people, but more students than adults. We have in the State of Nevada, in the Clark County school district, in the Greater Las Vegas area, the eighth largest school district in the United States, and over 25 percent of the students in the Clark County school district are Hispanic.

Other places in Nevada also have large Hispanic populations. In Carson City, NV, our capital, we have a program, as I have indicated, called the OLA Carson City Program, designed to keep Hispanic children interested in school. It has done a remarkable job. It has been in existence for 4 or 5 years. They produce a television program

where they interview people who work in government, who work in the private sector. I have been doing interviews in their program at their station for some 4 years. They are excited young people. They not only do television, they are not only involved in the TV station, but they are involved in other things. This has helped these kids—I have heard them say so—develop self-confidence. They are proud of the fact that they can speak two languages. When I go there, one of the students will interpret for me. They have become more confident since connecting with the community. They have a recognition of the opportunities that are available to them. Their personal goals have risen steadily. They have won awards and honors in the community for their efforts. They have become actively involved in communicating their importance to their peers and to younger Hispanic youth. They started a tutoring program. There is a youth leadership club, advanced group, enthusiasm, volunteers for all kinds of programs in the community. They work in the juvenile justice system. The Governor selected them to work in the Goals 2000.

This is a wonderful program, Mr. President, one that should be available to the rest of the country. That is what this amendment provides. It makes these programs available to the rest of the country. I think that is all we can ask for—that school districts have the ability. If they want to make an application saying they have a dropout problem, what programs are available? What programs would meet their needs? Have experts give them different alternatives, and they can choose from those. If their grant is in effect, then it is up to them to implement the program; the Federal Government stays out of their lives.

We have a significant problem in southern Nevada especially. That is rapid growth. We have the most rapidly growing city and the most rapidly growing State in the country. We have to keep up with the growth in the schools. We have to build a school and a half a month to keep up with the growth in the Clark County school district. We hold the record of dedicating 18 schools in 1 year. The growth is phenomenal. Our long-time superintendent of schools is a very courageous, very good superintendent by the name of Brian Cramm. He has become more of a construction superintendent than a school superintendent. Think of that—a school and a half a month. The goal has been met. In 1 year, 18 schools were dedicated in the Clark County schools. But in an effort to accommodate all of these students, we have huge schools. As Senator BINGAMAN and I have spoken about, we really need to focus on ways of having smaller schools.

I frankly don't think, unless the Federal Government recognizes this high school dropout problem is the problem that it really is, that we are going to get help. One of the things we have

tried to do, separate and apart from this amendment but which will complement this amendment, is to get school construction money. School districts all over the country are having bond issues fail. We are very lucky and fortunate. We are blessed in southern Nevada because the people in Clark County are continuing these bond issues. Over \$2 billion in bond issues have passed in four separate elections during the last 10 years—over \$2 billion. Around the rest of the State of Nevada, though, they haven't been so fortunate. Schools are not being built because they cannot get the bond issues passed. We have some counties which simply do not have the financial wherewithal to build new schools. They are in counties where there is a lot of Federal land. There is no mining. There is minimal ranching going on. They simply can't afford to build new schools, and kids are being educated in facilities that really, in the eyes of some, should be condemned.

The bill for school construction would help rapidly growing school districts such as Clark County and Lincoln County, which need help because of the lack of economic growth in those counties. That is something that could complement this and hopefully would have school districts focus on not how big they can build a school but how many schools they can build to accommodate the children.

I hope, Mr. President, that this issue dealing with 3,000 children dropping out of school every day is something the Senate will focus on. It is, as I have indicated, the No. 1 problem as far as I am concerned with our schools today—children dropping out of school. I recognize the reason for children dropping out of school is varied. There are a lot of reasons they drop out of school. But whatever the reason, it is a situation that we must focus on. We must do something to keep children in school.

Mr. President, let's talk about the future for high school dropouts. We know that unemployment rates of high school dropouts are more than twice those of boys or girls who graduate from high school. The probability of falling into poverty is three times higher for high school dropouts than for those who have finished high school. The median personal income of high school graduates during the prime learning years—25 to 54—is nearly twice that of high school dropouts.

I have to mention again that 82 percent of the people in our penitentiaries or prisons or jails around the country are high school dropouts. The children of high school dropouts, it has been statistically proven, have a much higher probability of dropping out of school than children whose parents did not drop out of high school.

Let's look, as Senator BINGAMAN did, at Hispanics and what is happening around the country with Hispanic children. I talk about the OLA Carson City Program, which is a miracle program. It is working wonders in Carson City.

But we have too many Hispanic children all over the country dropping out. We have too many Hispanic children dropping out of schools in Nevada. We talk about a dropout rate of over 30 percent, which is some 200 to 300 percent higher than other children and something we should become concerned about.

Why are so many Hispanic children dropping out of school? The bulk of Hispanic students who come to Nevada and the western part of the United States are from Mexico. Mexico does not have a tradition of public education. In addition to that, there are language problems that we all realize. We also have the phenomenon that Hispanics are noted for having a really good work ethic. They believe in working hard. They are not afraid to work. That is a bad combination, because with the shortage in the labor market there are people who entice young men and women who are Hispanic to go to work. That gives them another excuse not to be in high school, because they are making fairly decent money. The fact of matter is, they are still doing those entry-level jobs when they are 55 or 65 years old.

We have a problem that we have to identify. The Hispanic students have a dropout rate of 30 percent compared to an overall rate of 11 percent. And the 30 percent is lower than it is in a lot of places. Unemployment rates for Hispanics is high. That is because, for those who have not finished high school, it is really hard to get a job. Forty-nine percent of all persons living in Hispanic households receive some type of means-tested assistance.

We can make all of these figures disappear with a high school education. We need to do that.

As we all know, with this new census that is going to be completed in a year and a half or so, it is going to show a tremendous rise in the number of people of Hispanic origin making up the population of the United States. By the year 2030, Hispanics will make up 20 percent of the population of the United States. Even about 10 years from now, by the year 2010, the Hispanic origin population is projected to become the second largest ethnic group in the United States. Soon, as you know, it will be the No. 1 ethnic group. We need to address the dropout problem in this country for everyone, but especially for the Hispanics. Hispanic leaders all over America understand this and are working hard. But I think we need to focus on what we can do in the Department of Education to assist them.

I have spoken to the Hispanic leaders in the State of Nevada and this is clearly the No. 1 problem—keeping their youth in school, having them finish high school. That is how the national Hispanic leaders feel also.

If we do not address the dropout problem in this country now, we will be faced in the future with a weak and uneducated workforce. We don't need that. We can't stand that. We will have

increased unemployment rates, increased prison incarceration rates, and an increase of people on welfare and other Federal assistance programs. By keeping our kids in school, we are attacking much larger social and economic problems.

It may be a surprise to many, but there is no national plan to lower the dropout rates—there is none—and no targeted program to help schools most in need of restructuring to lower dropout rates and raise achievement. We would all think this should have been done a long time ago, but it has not been. I think it is time to keep our children in school. It should become a national priority.

Again, 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 those who have finished high school. The median personal income of high school graduates is twice that of high school dropouts. The median income of college graduates is three times that of high school dropouts. For the fourth time: 82 percent of our people in prisons have not graduated from high school. Need we go further?

So I hope this bill will receive overwhelming support and that we can get this bill passed in the House of Representatives. This is something that is important. This amendment is as important as the underlying legislation—I believe more so. I, again, express my appreciation to the people of the State of New Mexico for sending to the Senate someone with the abilities, the skill of Senator BINGAMAN. This amendment is an important amendment. It has been an honor for me to work with him on this. I repeat, I hope the Senate overwhelmingly passes this much-needed amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. I thank both Senators for raising this issue. There is no question but one of the most severe problems we have—probably the most severe problem we have—is the large number of dropouts in the schools. Certainly they have delineated their feelings on that very accurately.

But I also point out, however, we are dealing this year with the Elementary and Secondary Education Act reauthorization. These programs, and I am sure there will be others which will be offered on this bill, are all worthy of a very substantial examination. In fact, we have already started holding hearings on reauthorization of the Elementary and Secondary Education Act. Those hearings are going well. We will be holding many more. Two-thirds of all the money we spend in education at the Federal level is on the Elementary and Secondary Education Act. That is where the money is. Thus, that is where these amendments are appropriate.

I want to assure both Senators that it is my intention to give top priority

to such programs as those for dropouts. This Nation, however, has a very serious problem with respect to education. The Senator from New Mexico and I sit on the Goals 2000 Panel. We have been there, frustrated, because over the period of time we have been on it we have not had any measurable change in the statistics in this country about the state of our education.

The President has appropriately also pointed out the difficulties of social promotion. We are looking into that, obviously. There are programs that are required for that, but it is not easy to do it program by program. That is just not the way it should be handled. It should be handled in a coordinated effort, which we are doing, with hearings, to fully understand why, for instance, there are dropouts, why kids are dropping out, before we suddenly come up with a program that is going to attempt to alleviate the problem.

So I want Members on both sides to please refrain from offering amendments that should be appropriately considered in the Elementary and Secondary Education Act's reauthorization, because only with coordinated hearings and sitting down and working together can we come up with a coordinated plan to handle all of these very serious issues which we have. I am hopeful the Senators would withdraw this amendment at this time. They have my assurances that we will be discussing fully the matter of school dropouts when we get into the hearing process.

We are already into the hearing process. They are all tied together. We did pass, this past year, at least one or two efforts: The Reading and Excellence Act, which gets into the questions of why people drop out; and we have others that we passed last year that we are studying in terms of professional training and all that. There will be other amendments, I am sure, that we have heard about, that will also be right in line addressing the problem.

There is one, I understand, on principals, principal training, and there will be a number of other amendments which they will offer. But I want to say I am not willing to accept amendments which will do what may be a good idea because of our purpose right now. Every 5 years we reauthorize the Elementary and Secondary Education Act. We should concentrate on this right now. We have to have a coordinated effort on it.

First, we must delineate specifically what the students should have when they leave the school. We know they should read. We have the social promotion situation that if they don't read, we just push them on through. The statistics are startling in that regard. Over half of the young people who have graduated from high school have graduated functionally illiterate. The primary cause of that is social promotion. What we do to try to alleviate that through ESEA is something we have to look into.

Why do students drop out? We need to look into that very thoroughly. Obviously, a great deal of that usually occurs in the middle school area where young people come through and they don't see any relevance of education to their lives. We have to look into how to alleviate the middle school problem.

One of the problems there is the lack of training of principals. That is another area we should be looking at in the Elementary and Secondary Education Act. But right now I want to be very clear: I do not think we should be using this bill to do that. This bill is one which will just help the States now to be able to deal with some of these problems with more flexibility in the way they can handle their school systems in the allocation of funds. They need that flexibility now to handle these problems. We should concentrate on the reauthorization and not try to do it piecemeal on this bill, which is left over from last year. We got 10 good bills out. We didn't get this one out. The committee handled the bill. I don't think these were offered as amendments at that time. Certainly I had the same attitude then as I do now.

With that, I urge Senators seriously to consider not offering these at this point and wait for the Elementary and Secondary Education Act to do that.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from Nevada sought recognition first.

Mr. REID. Mr. President, I say to my friend from Vermont, the manager of this bill, we need flexibility now and I acknowledge that. But we also need something to address these children who are dropping out of school now, 3,000 children a day. I can tell my friends in the majority, they may table this amendment today or tomorrow—whenever they decide they want to do it—but they better get used to voting on it. Because every time a bill comes up, whether it is missile defense—it doesn't matter what it is—I am going to offer this amendment.

Mr. President, 3,000 children are dropping out of school every day and we have to do something about it. It received 74 votes last year. Let people who voted for this bill last year come and vote against it this year and get it lost in the hole on the other side of the Congress.

This bill needs to pass. We have children dropping out of school every day, 3,000 of them, 500,000 a year. Eight-two percent of the people we have in prison are high school dropouts. Do you think that is something we should address, or wait for a 5-year education bill?

This is something that people, if they are going to vote against it, they are going to vote against it more than once, because I am going to keep offering this. I do not think there is anything more important we can do than vote on keeping our children in school.

Mr. VOINOVICH addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I share the concerns about the dropout rate in this country with the Senator from Nevada. I am very familiar with the dropout rate in the State of Ohio and what we tried to do to deal with the problem.

I contend that the passage of Ed-Flex will allow many States today to better utilize the money coming into their State to do a better job in those early years with youngsters so that they will be successful and they will stay in school.

For example, in the State of Ohio, we have used the Ed-Flex waiver on the Eisenhower Professional Grant Program to allow teachers to learn how to do a better job of teaching and helping children to learn. We have also allowed some of that money to be used in areas where kids are having the biggest problem, for example, in reading. We have seen that by using Ed-Flex, we have been able to do a much better job helping youngsters to learn, the same way with the waivers that we received in Ohio under Ed-Flex under title I, to be able to use those dollars in a more efficient way so that we can really make an impact in the lives of the children where the teachers feel that it will do the most good.

Again, we have seen the statistics from 1996 and 1998. Where we have had Ed-Flex, the kids are doing better, because they have had a waiver on the Eisenhower Professional Grant Program under title I.

There is no silver bullet in terms of the issue of dropout rates. When I became Governor of Ohio, I went to the head of the Department of Corrections and said to him, What can we do to keep down the prison population in the State of Ohio? His answer was, Head Start; we have to get involved with these youngsters earlier. So we went to town on the issue of Head Start, and today my State is the only State where every eligible child whose parents want them to be in preschool or Head Start is in the program. That is the responsibility, I believe, of the Governor of the State and the people involved in the State in education. They need to make these early childhood programs.

For example, you will be hearing from me later on in this session in terms of the use of TANF money. We have a very good program in our State called Early Start, where we are going to families as soon as that baby is born and intervening and trying to make sure that during those first 3 years of a child's life, they develop those learning capacities that they need to be successful in school. Too often these dropout programs are dealing with the end of the line, and that is what we, as a government, ought to be doing, making a commitment to intervene early on. That is where you can really make a difference in terms of having a program that deals with birth to 3, zero to 3, intervening earlier in the lives of our children to make that difference.

In addition, I think people should understand that there are lots of dropout

programs in this country. I have been chairman of a group called Jobs for American Graduates for a couple of years. As a matter of fact, Senator ROBB from Virginia at one time was head of Jobs for American Graduates, and Senator JEFFORDS is very familiar with the Jobs for American Graduates Program. It is a program that has been in existence for 19 years and has served over 250,000 young people.

What we do is, we identify kids in the 12th grade who are in need of help. We get them into a job club. We intervene, and 90 percent of them stay in school. Then we follow them a year afterwards to find out what has happened to them, and they are either in secondary posteducation or they are in the service or they have a job. This program is in existence in about 28 States and territories in the United States.

I say to Senator REID of Nevada, we tried to get the program into the Las Vegas school system and they turned us down. Governor Miller tried to also do the same thing, and they turned us down. I suggest to Senator REID that he ought to talk with the people in the Las Vegas school system and ask them why they are not part of the Jobs for American Graduates Program, the most successful dropout program in the United States.

Mr. REID. Is the Senator directing a question toward me?

Mr. VOINOVICH. I would be glad to have the Senator answer that, sure.

Mr. REID. The Senator would have to ask Senator Miller—a Freudian slip there—Governor Miller that question. There are a lot of good programs in the country. That is the whole point of this amendment, that we have to have these amendments, these different programs available to everybody in the country. Then the school districts can pick and choose those. You may think that program is the best program in the country. Others may disagree. But the fact of the matter is, this amendment that I am offering does nothing to take away from the ability of school districts to manage their schools any way they see fit. It does give the resources to the school districts all over the country that they now do not have. I think it certainly seems that we should have a national strategy for dropouts, which we now do not have.

Mr. VOINOVICH. Mr. President, I point out that today our Jobs for American Graduates Program is utilizing—listen to the Federal programs that we are already utilizing. We are utilizing the Joint Training Partnership Act. We are using School to Work Opportunities Act. We are using the Wagner-Peyser Act. We are using the Carl Perkins Vocational Education Act funds. We are using the title IV Safe and Drug Free Schools funds. We are using the Criminal Justice Crime Prevention funds. We are using welfare reform funds.

The point I am making is that, No. 1, the dropout issue is a national problem, but it is primarily the responsibility of State and local governments. It



is up to the Governors and to the local people, local education people to respond to the problem. For example, in the JAG program, when I came in as Governor, we were spending about \$4 million. Today we are spending \$22 million in the State of Ohio, because we understand how important it is to try to identify these youngsters who are going to drop out of school and keep them in school. That is just a phase of it.

When you talk about dropout, you have to look at the entire specter of the cause of the dropout program.

I will go back to what Senator JEFFORDS has just said. It starts out with Early Start. It starts with Head Start. It starts out with technology in the schools.

An interesting story. I went to our prisons and visited those where they are ready to come out into society. I went in and I asked a question, How many of you graduated from high school? Not one hand went up. They were there working with these computers. I asked them what they were doing, and they pointed out to me that they were getting ready to get their GED. I remember after leaving there—it was about 7 or 8 years ago—I said to myself, we have computers in our prisons to help people get their GED and prepare them to go out, and we didn't have computers in our schools in Ohio. So we undertook a program to wire every classroom for voice, video and data. We brought computers into every classroom. It is amazing what is happening in elementary school. What you have to recognize is the reason why a lot of these youngsters drop out of school is they are not doing well. They have not had Head Start. When they get to school, they do not have the tools that are necessary to get the job done.

For example, in our State now, we have reduced the class size for first, second, and third grade to no more than 15 because we know those years are so important. So to stand here and say we need a program for dropouts, it seems to me that if we really want to get at the dropout problem in this country, this Congress should sit down and look at all these programs that we have and figure out how we can do a better job with the money we have to really make a difference. And we also ought to understand it is not our primary responsibility. It is the responsibility of the Governors; it is the responsibility of those local school superintendents and those local school boards and the people that are there to get this job done.

And for them to send money to Washington and then turn around and have it go back, I do not think is the best way to get the job done. On the other hand, the Federal Government should be trying to figure out how they can be a better partner.

I suggest a nice little task force that we could undertake in this Senate could sit down and look at these var-

ious programs, how do they fit together, how can we better maximize those dollars, and maybe look at some programs that we already have and say, if we put a little bit more money into this—for example, if we allow the States to use more of their TANF money to deal with this big problem, if they do not have education—they will not go on welfare.

There are a lot of things that we can do, I think, if we just sat down and looked at what we were doing. And one of the things that we can do, Mr. President, I think, is to pass Ed-Flex because Ed-Flex will give us a little better opportunity to take the Federal money that is coming in and really make a difference in the lives of kids.

And one of the things that I heard when I sat in your chair, Mr. President, during the debate earlier on was about accountability. In those school districts that are getting waivers for Eisenhower Professional Grants, getting waivers for title I, what have we found out? We are finding out if the programs are working. The ones that have not asked for waivers, we do not know what they are doing in terms of making a difference in the lives of children.

I say to Senator JEFFORDS, I think one of the great benefits of the Ed-Flex program is that when you make application you agree, first of all, to waive a lot of State statutes and also rules and regulations, but you also agree that you are going to meet certain standards; and you are held accountable toward those standards.

So I am saying to you that the schools in this country, in our 12 States that have taken advantage of Ed-Flex, at least we know whether or not some of this Federal money is really making a difference in the lives of children. And the more our schools can go to get waivers, I think the more accountability we are going to have. And it is one aspect I do not think has been talked about enough here on the floor of the Senate.

Mr. JEFFORDS addressed the Chair. The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. First, I thank the Senator from Ohio, who has had great experience in this area with respect to being Governor of that State. And watching what they have done makes me happy to know that we have a Senator with us now who has that experience in the immediate past. I look forward to looking to him for guidance.

Mr. LEVIN. Mr. President, I am pleased to cosponsor the School Dropout Prevention and State Responsibilities Act which is aimed at lowering the student dropout rate in our nation's schools. We cannot have high expectations that our young people will be prepared for the challenges that lay ahead if they have not attained at least a high school diploma. The fact is that over half a million high school students drop out each year, joining almost 4 million young Americans who lack a high school diploma and are not in the process of getting one.

Mr. President, it is a bipartisan National Education Goal to increase high school completion rates to 90 percent and eliminate gaps in the rates of graduation among different groups, according to the goals established by the Governors and the President in 1989. However, there has been no progress in lowering national dropout rates. As a matter of fact, there is currently no targeted national funding to help schools most in need of restructuring to lower their dropout rates.

To help schools in their efforts to reduce dropout rates, this amendment would authorize \$150 million annually over five years to create a coordinated national dropout prevention program. Under this proposal, States would receive funding according to the Title I formula, and would then award competitive grants to schools or local education districts with the highest dropout rates. The goal is to enable such schools to implement proven and widely replicated models of comprehensive dropout prevention reforms such as, for example, the Lansing School District in Michigan, which has established a mentoring program with community leaders and the "New Beginnings" program for students who have been expelled to keep them in school; and the Detroit Public Schools' successful 9th grade restructuring program which is advancing up to the higher school grades.

In addition, this amendment will create a national system of data collection and sharing, so that we have a complete understanding of the extent of the dropout problem. If local school districts are to curb middle and high school dropout rates, they must have uniform data and statistics. This amendment, which creates a national clearinghouse and a dropout "czar" within the Department of Education, will give middle and high schools the tools they need to keep our youngsters in school.

Mr. President, this amendment is identical to the legislation that passed 74-26 by the Senate during debate last year on the education IRA proposal, and was, regrettably, dropped in conference. This is a very important proposal to help keep young Americans in school and it is my hope that my colleagues in the Senate will again adopt this amendment.

AMENDMENT NO. 36 TO AMENDMENT NO. 35

(Purpose: To honor the Federal commitment to fund part B of the Individuals with Disabilities Education Act)

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

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Vermont [Mr. JEFFORDS], for himself, Mr. GREGG and Ms. COLLINS, proposes an amendment numbered 36 to amendment No. 35.

On page 20, between lines 4 and 5, insert the following:

**"SEC. . FUNDING FOR IDEA.**

"Notwithstanding any other provision of law, the provisions of this part, other than



this section, shall have no effect, except that funds appropriated pursuant to the authority of this part shall be used to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.)."

Mr. JEFFORDS. Mr. President, I am sorry for not being successful in getting the Senator from New Mexico to withdraw the amendment. I understand the feelings. But to me, the best way right now that we can help immediately without having to wait through the whole process is to be dedicated to ensuring that we fully fund the money that is used for special ed.

If we can use all of these funds that we want to be used otherwise just to do that, we would free up the States and local governments to be able to handle some of these problems. So I want to make it very clear that the reauthorization of the Elementary and Secondary Education Act is so important that we cannot prematurely adopt amendments which would put us in the position of having to undo things which this body does. It should be done in a very coordinated way that will allow us to thoroughly understand the impact of what we do.

I also bring to the Senate's attention the front page of the Washington Post this Monday. The Post carried a story regarding the months of delay which learning-disabled students in Prince Georges County are experiencing in obtaining educational services. This is important to know, that we should take action now in this area.

Antonio Martin, a 15-year-old resident of Prince Georges County, has been sitting home for a year waiting for placement in a school that can meet his needs. Today's Post carries a story regarding a Supreme Court decision requiring that schools pay for full-time nursing care in some situations, which will undoubtedly increase costs for any school which finds itself in this situation.

But this is not just a Washington problem. This is a problem in every school in every State in the country. When I visit with school board members or principals in Vermont, funding IDEA, special education, is the first, second, and third thing they want our help on.

The amendments that my Democratic colleagues are proposing are all well-intentioned, but they are not responding to what I am hearing from Vermont educators and educators around this whole country.

Vermont's legislators are telling me the same thing. I visited the Vermont educational communities during the recent recess, and time and again they asked that the Federal Government uphold its commitment to fund IDEA. They did so without regard to party. Democrat and Republican legislators agreed that funding IDEA is easily the most important thing we can do by far.

Last month, when our committee held hearings on education budget priorities, a representative, Al Perry, a Democrat from my good State of Ver-

mont, was very persuasive on this point. In 1975, the year I came to Congress, we promised that we would provide funding that would be 40 percent of the national average per pupil expenditure for each school-age child with a disability. We have not delivered on that promise.

In fiscal year 1998, we provided 10.8 percent of the excess costs of educating children with special needs. If we follow through on this promise, we will free up critical local funds. Once we do, local communities, and not the Federal Government, will be in the position to decide how to spend their local dollars—for teachers, for textbooks, for technology, or for some other locally determined educational policy.

Senator WELLSTONE, yesterday, talked about listening to community needs. Anyone who has done so has probably heard the same thing that I have. The President certainly has—from school boards across the country and from the Governors. Yet the President has ignored their plea. In his budget request for fiscal year 2000, the 25th anniversary of IDEA, there is no increase in funding. In his public statements on education, he has ignored IDEA entirely. At a time when no educational issue seems to escape the administration's purview, special education seems stuck in the White House purgatory.

A year ago I urged President Clinton to join Congress and keep the promise that we all made in 1975. He declined. Again, in December 1998, I implored the President to join us in meeting our commitment to children with disabilities. He ignored it.

Instead, the President has made many new promises in his budget for fiscal year 2000. But what good are all these new promises if past promises are empty in the area of greatest need? Year after year we have seen budget requests from the administration that represent no real funding increase for special education. This constitutes a pattern of neglect and a lack of concern that cannot be defended. Children suffer, families suffer, and school districts suffer.

In each of the last 3 years, Republican Congresses have increased Federal funding for special education by over 85 percent. We are fully committed to reaching that promise made 24 years ago.

I show you a chart. What we have done has been fine, but look at what is left to do. In the orange there is what we should be paying but we are not paying. That is shown on that chart. If the President thinks Congress will take care of business and increase funding for special education, he is right. We will, through this amendment and other amendments. If he thinks because we will, he can put his funding priorities elsewhere, he is wrong.

School districts are demanding financial relief. Children's needs must be met. Parents expect accountability.

There is no better way to touch a school, help a child, or support a family than to place more dollars into special education.

I urge my colleagues to support my amendment. If we put money into IDEA, school districts will be in a position to address class size or whatever they determine to be local priorities. They can ensure that children like Antonio Martin won't sit in education limbo for months on end.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I intend to support this amendment. Now that we have the time to get to the crux of education policy, I welcome this opportunity. The manager of the bill has now advanced this issue in terms of the debate and discussion, and I hope we will move beyond the question of whether we are just going to deal with Ed-Flex, because the manager himself has offered this particular amendment.

Mr. President, I joined with those back in 1975 to make a commitment in terms of trying to address the problems of supporting those children in our schools that have special needs. Four million disabled children did not receive the help that they need to be successful in schools. Few disabled preschoolers receive services. One million disabled children were excluded from public schools. Children in this country, prior to the 1975 Act, were basically shunted aside in institutions and did not participate in the education system of this country.

In 1975 we passed legislation to provide help and assistance. We set in the 1975 Act the level of a 40-percent goal for funding to help and assist the local communities. I daresay I had thought we might have the opportunity in the wake of the Garrett decision yesterday to have an opportunity to debate and discuss how we were going to be able to help and assist a number of local communities now that will have to provide additional help and assistance to the special needs children. That ought to be a matter of priority. That ought to be a matter of debate. It ought to be a matter of allocating resources to help and assist local communities.

In many instances, we are finding across America that the needs of special needs children are being placed against the needs of educating the broader constituency, so we are pitting children against children. What we ought to try and do is deal with both of these particular issues. I am for allocations of resources that move us closer and closer to the level of some 40 percent, which was set as a goal for us in the 1975 Act.

Let us not lose the fact that under the constitution of every State there is a commitment to educate children in their States. Sometimes they forget this, but they have a solemn responsibility. I don't know a single State

that doesn't have that particular requirement. This is going to be something that we will have to work out with the various States and we will have to work this out with the local communities, but if the Senator from Vermont and the Senator from New Hampshire and others want to say they want to find additional resources in meeting the needs of special children, put me on that particular piece of legislation, too, because I am all for it. I am all for it—not at the expense of these other children. No serious educator would put it at the expense of other children.

If we have better trained teachers in smaller classrooms, we will identify more easily those children that have special needs. If we have smaller class size, we will know which child needs the special attention. If we have better trained teachers, the better trained teachers will understand which of the children should be involved in special need programs and which should not. With achievement in reading programs and literacy programs, we may very well help children at the early ages not be qualified in terms of special needs, because they will be advanced and their academic achievement may very well be enhanced.

If we do the kind of things that the Senator from Ohio just pointed out, more and more targeted resources in terms of the children in terms of Head Start will be enormously important. We reauthorized Head Start last year. We expanded the Early Start children up to 12.5 percent in that Head Start program, but we are still not doing enough. The Senator from Ohio points out that it is an admirable effort. In the State of Ohio they have gone ahead, evidently, and provided the difference between what is provided by the Federal Government and funds provided by the State in order to make sure that every child who is eligible in Ohio is going to qualify for Head Start. We are only reaching about 40 percent of the children across the country. By that early type of intervention, we will find out what can be done in terms of special needs children.

The bottom line is every educator knows if you have a smaller class size, better trained teachers involved in afterschool programs—all of these help and assist both to make the total numbers of children that might need the kind of special needs less; and, second, to identify those that truly need that help and assistance.

So there may be those that want to try and pit the special needs children against other children, but I hope that would not be what the U.S. Senate is about. Parents understand this; school-teachers understand it. What we are basically understanding is that is the proper way to go.

We can understand a legitimate effort to try and address the question of the school dropouts, which is a very important and significant national need, a modest amendment that had

been considered by the Senate, passed overwhelmingly with bipartisan support last year. This isn't something new. The amendment of the Senators from New Mexico and Nevada, quite frankly, have more legitimacy to be considered on the floor of the U.S. Senate than the Ed-Flex bill, because we have already considered and passed it. Even so, it is fine if we put that on. It certainly will help strengthen the Ed-Flex bill.

However, now we have the parliamentary games to try, instead of permitting a thoughtful legitimate amendment that has been considered to be debated and finally voted on, to effectively try to emasculate that amendment with the second degree. I want to give assurances to those on that side that we understand; we have been here a certain period of time as well. We are glad to spend as much time as our friends and colleagues want in debating education. The longer the better. But we are going to make sure that we are going to have a vote up and down on their amendment. This bill will not pass without a vote up and down. We can do it either nicely or whatever way they want to do it. We have that opportunity. We have that right to do it.

#### PRIVILEGES OF THE FLOOR

Mr. KENNEDY. I ask unanimous consent that Connie Garner, Mark Taylor, and David Goldberg, legislative fellows in my office, be granted floor privileges during the consideration of the bill.

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

The Chair recognizes the Senator from New Hampshire.

Mr. GREGG. Mr. President, I support this amendment. I am an original cosponsor of this amendment offered by Senator JEFFORDS. I think it goes to the essence of what is very much the debate which we are about to embark on here in the Senate and as a country—at least at the Federal level—relative to where we are going in applying the resources of the Federal Government when it comes to education.

Now, the President has come forward almost on a weekly basis with a new initiative. In fact, I doubt there is a week that has gone by, or even hardly a day that went by for a while—while we were in the impeachment trial, there was never a day that went by—without a new initiative on some subject. Now we are in a period where it is weekly.

Many of those initiatives have been new ideas in the area of education, which would essentially centralize decisionmaking here in Washington; new programmatic ideas that would require Washington's imprimatur of approval before they can go forward, before a State can use them; new ways in which to move into the District of Columbia the control over our local schools and how local schools are either hiring teachers, building additional schools, doing their afterschool activity or exercising their initiatives in the area of dropouts.

That is a philosophy of government, and I recognize that—the philosophy that all good ideas in education come from Washington, the philosophy that when you manage the schools at the local level, they should have significant influence from Washington in the decisions and in the process as to how they are run. That is not a philosophy I am attracted to, but it is clearly the philosophy of the other party and of this Presidency.

Our position, as reflected in this amendment, is significantly different. Our position is that, first, before we start any other major, new programs in education in the Federal Government, new programs that put new costs and burdens on the local communities, we as a Federal Government have an obligation to live up to what we said we were going to do in the first place.

One of the things we said we were going to do back in 1975 was to take care of special ed kids and pay 40 percent of the costs of special education at the local community level. That is one theory we have on our side. Let's do what we said we would do first, let's pay for what we said we would pay for first, before we add a bunch of new programs that may or may not be good ideas, but in any event which we don't have the resources for, unless you take them from programs that already exist at the Federal level.

The second philosophy we have is that the local folks—teachers, parents, principals, school boards—know a heck of a lot more about education than we know here in Washington. I can name a couple of kids in my local school district because I know them, but I can't name all of them. I will bet you the principal at Rye Elementary School can name them and that he knows something about every child, knows some of the problems that child may have. Certainly, the teachers know that. They know what they need in order to address that child's concerns. Maybe Johnny Jones has a reading problem and they know he may have to get extra reading. If Mary Smith has a problem with attention, they know they have to get a specialist in for that. Maybe it is just as simple as they may need a computer in order to allow that child to get a little extra help that is self-initiated, or a little confidence in themselves. They know what their children need in order to educate them better. I don't. I can tell you that nobody down at the Department of Education knows, and nobody in this Senate knows better than the parents, teachers, and the principals what those children need in order to make them better students.

I will tell you something else. As Republicans, we don't believe that folks here in Washington have more concern for those kids than their parents, teachers, and principals. That seems to be a philosophy we are hearing a lot—that in some way, somehow, because we have been granted the office of the Senate, or because we are serving in

the administration of a President, we suddenly have some knowledge or capability that gives us a better awareness and a more sincere desire to help a child than the parent of that child has, the teacher of that child has, the principal in that school has, or the school board has. That, to me, is a lot of hokum. But it is the philosophy, regrettably, that pervades the proposals that have come from this administration.

So these are the fundamental differences we have, and they are joined in this debate over this amendment: One, that we as a government have an obligation to fund what we already have on the books; two, that better decisions are made at the local community level, not here in Washington; three, that we have no special portfolio or no special awareness, no higher level of concern for a child's education, than that child's teacher has, or that child's principal has, or that child's parent has.

So this amendment says simply that, back in 1975, the Federal Government said it would pick up 40 percent of the cost of special education in this country. Well, as of 3 years ago, the Federal Government was only paying 6 percent of the costs of the special education in this country, and what did that do? What did that failure of the Federal Government to pay that additional 34 percent do to local schools?

Essentially, what it did was it skewed the ability of the local school systems to deliver the educational efforts that they desired to deliver, because the local school districts were having to go out and use their tax base, whether was a property tax or a State broad-based tax; they were having to use their tax base to pay for the Federal share of special education. So they were basically taking dollars that they should have had available to them from their property taxes—in New Hampshire, for example—and instead of spending then on a new classroom, or a new teacher, or a new computer system, or new books, they were having to take those dollars and pay for the Federal share of the obligations to educate special ed children.

Now, I happen to be a very strong supporter of special ed. I chaired a center for special needs children; I was president for many years. I am still on the board. I think 94-142 is one of the best laws this country has ever passed. One of the insidious aftereffects of the Federal Government's obligations to pay under 94-142—to pay its 40 percent—is that I saw time after time, in school district after school district, a cost to my State—and I know it happens in other States because I have heard about it from other Senators—that the special needs child was confronted with other parents in the school system who felt that because so much money was being spent on the special needs child, and because so much of the local tax base was being used to help the special needs child,

their children weren't getting an adequate education and their children were being unfairly treated.

But it wasn't the special needs child's fault. That child was just getting the education they had a right to. It wasn't the fault of the parent of the special needs child, who usually got most of the abuse at the school meetings. They were just asking for what they had a right to have. They were being put in this terrible position of being confronted by other parents who were legitimately angry about the misallocation of resources, as they saw it. Why? Not because of anything the special needs child did, or the parents of the special needs child, but because the Federal Government refused to pay its obligation of picking up the 40 percent of the cost of that child.

So 3 years ago, under Republican leadership in this Senate, under the leadership of Senator TRENT LOTT, with a lot of effort by such people as Senator JEFFORDS from Vermont, myself, and Senator COLLINS from Maine, we made a commitment to do something about this, to pay our fair share of special needs. In fact, S. 1 in the last Congress said we were going to put ourselves, as a Congress, on a ramp that would allow us to pay special needs children the 40 percent. It would take us 10 years, but we would get there. Then we backed that up with appropriations. Senator SPECTER from Pennsylvania, 3 years in a row, has dramatically increased the funding for special needs, for IDEA—\$740 million in the first year, \$690 billion in the second year, and \$509 billion last year. I think those are the numbers. It essentially has meant almost a doubling of the commitment to the special needs child by this Congress.

Do you know something? The administration didn't support any of it. This administration, which is so committed to education, has not sent a budget up to this Congress in the last 3 years that has called for any significant increase in special ed. They are playing a shell game on education. What they are doing, in fact, is they are borrowing money that should be going to special ed in order to fund all these new initiatives, so that members of this administration can go across the country and say, "I am for this new program," or, "I am for that new one." "We are going to put a billion dollars into that and \$500 million into that." Where do they get that money? They take it from the special needs child. How much did they ask for in new funding for special education in this budget? We presently spend \$4.3 billion. On special education, how much did they ask for as an increase? \$3.3 million. That is what the administration asked for—\$3.3 million out of a \$4.3 billion budget, which only accounts for, by the way, out of that \$4.3 billion, 11 percent of the cost of special education. We are supposed to be paying 40 percent.

So, under this Republican Congress, we have taken it from 6 percent to 11

percent. That is good news. The bad news is, we still have a long way to go. The bad news is that still in every school district across this country, local school leaders, principals, PTAs, school boards, are having to take money they would have otherwise used maybe to add a teacher, maybe to build a building—where have we heard that before?—maybe to do an afterschool program, maybe to put a computer in, to put an arts program in, a language program in. Instead of taking the money they would have used for those programs, they are having to take that money and having to use it to fund the gap that remains in the Federal obligation to pay for special education.

Just yesterday, the Supreme Court in the Cedar Rapids case made it very clear that that gap isn't going to get smaller, it is going to accelerate dramatically, because the Supreme Court decided that, as a matter of education, the person had a right to health care while in the school system. Many of these children need extraordinary health care. Kids we dealt with in the center I was involved in required immense health care. So that is going to increase the cost of special education even further.

What is going to happen for every dollar increase that comes about as a result of the need and as a result of this new Supreme Court decision? The local school district is going to fall further behind. It is going to have to take more taxes than it would have used to buy books and to add teachers and to build new buildings, more of those taxes, and have to move them and reallocate them to special education. So it is going to become worse. The situation is going to become worse. Why? Because this administration refuses to fund special education or even make an attempt to address it in any aggressive way. Instead, it comes forward with program after program after program, borrowing from special education funds to do that, and, as a result, leaves the special education child out on the street while it puts out its press releases.

We are going to debate this, as the Senator from Massachusetts said. I look forward to that debate. If the Senator wants to filibuster the Ed-Flex bill, which has been supported in the last Congress, supported in this Congress, supported by the President, and is supported by members of both parties, a bipartisan bill, if he wants to filibuster the Ed-Flex bill, that is his choice. But the fact is that what he is really filibustering is special needs children. What he is filibustering is the ability of local communities to manage their dollars more effectively so that we take care of special needs children and the other children who are in our school system. It is ironic and I think inappropriate to filibuster. But it sounds as if that is what we are going to get. Ed-Flex, a program defended and supported in the last Congress by the majority of the Congress, a program supported by the President, a

program supported by the Secretary of State, is now going to be filibustered because people do not want to fund special education—a very interesting approach to government.

Mr. President, I look forward to this debate, I look forward to a lot of it, because I do think that the American people need to learn just how irresponsible this administration has been on the funding of special education.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, perhaps the good Senator didn't hear me. We are prepared to accept the amendment. So if there is no other speaker on it, we are prepared to vote on the amendment.

Mr. GREGG. Mr. President, will the Senator yield for a question?

Mr. KENNEDY. Yes.

Mr. GREGG. Will the Senator accept this amendment on any other initiatives, which are appropriate, which are going to have funding for the purpose of education?

Mr. KENNEDY. We have this bill up now. The Senator has offered the amendment. In behalf of this side, we are prepared to accept it right now.

Mr. President, we are prepared to vote.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. JEFFORDS. 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.

Ms. COLLINS. Mr. President, I am pleased to be an original cosponsor of the amendment offered by Senator JEFFORDS. The amendment would require the federal government to make good on its commitment to fund special education before it made any additional promises it might not keep.

When Congress passed the Individuals with Disabilities Education Act in 1975, the federal government made a commitment to the states and to the local school districts to help states meet the cost of special education. The federal government promised to pay each state 40 percent of the national average per capita cost of providing elementary and secondary education for each student receiving special education. For the school year 1996-1997, the national average expenditure was \$5,913 per student. The federal payment to the states, however, was only \$636 per student or slightly more than ten percent of the total cost and about one fourth of the \$2,365 promised.

We must meet our commitment to special education and end this unfunded mandate. Maine is promised \$80 million by the Individuals with Disabilities Education Act. Yet, in 1998, it received less than \$20 million toward the \$200 million federal law requires the state to spend on special education. In short, special education is an unfunded federal mandate of \$60 million

that must be met by the citizens of Maine through already burdensome state income and local property taxes. This accounts for millions of dollars annually that can not be used for school construction, for teacher salaries, for new computers, or for any other state effort to improve the performance of our elementary and secondary school students.

We need to increase federal spending on education, but we do not need new federal categorical programs with more federal regulations and dollars wasted on administrative costs. Rather, we need to meet our commitment to bear our fair share of special education costs. As the Governor of Maine told President Clinton last week, "If you want to do something for schools in Maine, then fund special education and we can hire our own teachers and build our own schools." This is true for every state. The best thing this Congress can do for education is to fully fund our share of special education and at the same time return control of the schools to the states and local communities by passing the Education Flexibility Act.

These two actions will empower our states and communities to meet the challenge of improving schools. Instead of presuming that we in Washington know what is best for every school across the country, let us acknowledge that each of our individual states and towns knows what is needed on a state-by-state and community-by-community basis. I urge my colleagues to give our states and local communities the financial support they have been promised and the freedom to educate our students as they see fit. We can do this by adopting this amendment to fully fund the federal share of special education and then passing the Local Control of Education Act.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont.

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

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

#### EXTENSION OF MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I believe at this time we have no further business that is immediately available. I suggest we ask unanimous consent to set the vote for 2:15 and that the Senate be in morning business until such time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. JEFFORDS. Mr. President, 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. JEFFORDS. 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. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I ask consent to proceed in morning business.

The PRESIDING OFFICER. The Senator may proceed.

#### THE EDUCATION BUDGET

Mr. KENNEDY. Mr. President, I listened to our friend and colleague from New Hampshire speak about the education budget and about the expenditures in the areas of education. I just want to review here, in this time, for a few moments, exactly what has been the record of our Republican friends in the House and Senate, and the administration, over the period since 1994 when the Republicans took over the leadership in the Congress.

After 1994, on March 16, 1995, one of the first acts of the new Republican House of Representatives was to ask for a \$1.7 billion rescission on all education programs below what was enacted in the appropriations the year before. That is an extensive rescission, no matter how you cut it. This is in all the education programs of 1994. They asked to cut back \$1.7 billion. The final rescission bill that passed on July 27, 1995, was \$600 million below 1995. So, as we are looking over, now, and listening to who is interested in education, I hope our colleagues will at least give some attention, when they are reviewing the record, as to who has been interested and who has been committed, judging by the allocation of resources. Resources themselves do not solve the problems of education, but they are a pretty good indication of a nation's priorities.

What we had as the first order of business in 1995 in the House rescission bill was to move ahead with a major cut of \$1.7 billion for the appropriations the year before. Now, in the first full funding cycle, the 1996 House Appropriations, in August of 1995, cut \$3.9 billion below 1996. Then the continuing resolution ended up at \$3.1 billion below 1996. This was at a time when we had the memorable shutdown of the Government. The President said, That is too much, you will be cutting the heart out of many of these education programs. That was one of the principal reasons he went toe-to-toe with the Congress, because of those dramatic cuts in the area of education. Finally, there was a continuing resolution after the Senate adopted a Specter-Harkin amendment to restore \$2.7 billion. We saw a bottom line \$400 million below fiscal year 1996.