

I have thought carefully about your proposal to delay agreement on the revised Strategic Concept in light of NATO's military operations in Kosovo. While I share your deep concern about the situation in Kosovo and the devastating effects of Serb atrocities, I am convinced that the right course is to proceed with a revised Strategic Concept that will make NATO even more effective in addressing regional and ethnic conflict of this very sort. Our operations in Kosovo have demonstrated the crucial importance of NATO being prepared for the full spectrum of military operations—a preparedness the revised Strategic Concept will help ensure.

The Strategic Concept will reaffirm NATO's core mission of collective defense, while also making the adaptations needed to deal with threats such as the regional conflicts we have seen in Bosnia and Kosovo as well as the evolving risks posed by the proliferation of weapons of mass destruction. It will also help ensure greater interoperability among allied forces and an increased European contribution to our shared security. The Strategic Concept will not contain new commitments or obligations for the United States but rather will underscore NATO's enduring purposes outlined in the 1949 North Atlantic Treaty. It will also recognize the need for adapted capabilities in the face of changed circumstances. This approach is fully consistent with the Kyl Amendment, which called for a strong reaffirmation of collective defense as well as a recognition of new security challenges.

The upcoming summit offers a historic opportunity to strengthen the NATO Alliance and ensure that it remains as effective in the future as it has been over the past fifty years. While the situation in Kosovo has presented difficult challenges, I am confident that NATO resolve in the face of this tyranny will bring a successful conclusion.

Your support for the NATO Alliance and for our policy in Kosovo has been indispensable. I look forward to working closely with you in the coming days to ensure that the summit is an overwhelming success.

Sincerely,

BILL CLINTON.

Mr. WARNER. Mr. President, I address the Senate today because I have done my very best as one Senator to bring this to the attention of our President, and hopefully, through this floor speech, to the attention of the other heads of state and government who will come to Washington. Again, I continue to urge my plea not to put this "Strategic Concept" in final form in this forthcoming Summit. I encourage my colleagues who may share my views on this critical issue to likewise speak out before it is too late, in an effort to prevent a rush to judgment on NATO's future. NATO is simply too important to our national security to do any less.

On a related issue, I am distressed to hear statements by my colleagues, and some in the administration, which tie NATO's future to a successful—I repeat successful—outcome in Kosovo. I personally support the objectives that have been stated time and time again by the NATO ministers, and indeed our President, our Secretaries of State and Defense. We all know we have to create a situation so the refugees can be returned. We know we have to have in place a military force, the composition of which I think should be flexible. It does not have to be all United States—

absolutely not. Maybe other nations not in NATO will join. We need flexibility there to allow these people to return in a secure environment and to have a measure of self-government, of autonomy. They deserve no less. Those are the basics.

But to say unless everything we lay down today has succeeded, we have success and we have victory, and if we do not achieve it, it is the end of NATO—I urge my colleagues not to make such a statement. NATO must go on. NATO must go on and survive the Kosovo operation. It is the responsibility of those of us here in the Senate, of the President of the United States, and the other heads of state and government to make certain that is achieved, because we know not at this moment what the outcome will be in Kosovo. Yes, we have to achieve the basic goals, but in my humble judgment, diplomacy will reenter at some point. So I suggest we pledge ourselves to the future of NATO and be more cautious in our statements.

Kosovo-like operations are not NATO's reason for being. They are "out-of-area" operations that NATO does if it can. We should not be making pronouncements on NATO's future based on the outcome of these "out-of-area" operations.

This alliance has withstood the test of time for 50 years. It has exceeded the expectations of those minds that gathered 50 years ago to conceive it. It is the most significant military alliance in the history of mankind, and it has to continue to be for the future.

Mr. President, I thank my colleagues for their patience in allowing me to deliver these remarks, and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, what is the pending business?

The PRESIDING OFFICER. We are in morning business.

Mr. JEFFORDS. Mr. President, I believe under the special order, the conference report on the Ed-Flex bill should be brought forward at this time.

#### EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999—CONFERENCE REPORT

Mr. JEFFORDS. Mr. President, I submit a report of the committee of conference on the bill (H.R. 800) to provide for education flexibility partnerships and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The Legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 800), have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of April 20, 1999.)

Mr. JEFFORDS. Mr. President, today, we are considering the conference report to the only outstanding education issue remaining from the last Congress—the Education Flexibility Partnership Act. Today, we will complete last year's unfinished business.

Over a year ago, the President told the Nation's Governors that passage of this legislation "would dramatically reduce the regulatory burden of the federal government on the states in the area of education."

The National Governors' Association has strongly urged the Congress to pass Ed-Flex this year and today we will act on their request.

The Education Flexibility Partnership Act, H.R. 800, will give States the ability, if they so choose, to make limited resources go further toward the goal of improving school and student performance. It offers a deal no one can refuse—results rather than red tape.

Under Ed-Flex, the Department of Education gives a State authority to grant waivers within a State, affording each State the ability to make decisions about whether school districts may be granted waivers pertaining to certain Federal requirements.

It is very important to note that States cannot waive any Federal regulatory or statutory requirements relating to health and safety, civil rights, maintenance of effort, comparability of services, equitable participation of students and professional staff in private schools, parental participation and involvement, and distribution of funds to state or local education agencies.

Currently 12 States have Ed-Flex authority which was created through a Federal demonstration program, originally created in 1994.

My home State of Vermont is one of the twelve using Ed-Flex authority. Vermont has used Ed-Flex to improve and maximize Title I services for those students participating in Title I programs in smaller rural school districts. In addition, my home state has also used their Ed-Flex authority to provide greater access to professional development, which is essential to educational reform and improvement.

Two weeks ago, the Independent Review Panel, which was created under the 1994 Elementary and Secondary Education Act for the purpose of reviewing federally funded elementary and secondary education programs, issued its report.

One of the sections of the report focuses on waivers including the use of waiver authority by the current 12 Ed-Flex States. The report states:

Waivers also encourage innovation; they allow educators to focus first on identifying the most promising strategies for improving academic achievement and then on requesting waivers to remove obstacles to their efforts.

I believe H.R. 800 is structured to ensure that the primary function of

issuing waivers is to positively impact overall school and student performance.

The bill before us today, H.R. 800, under the sponsorship of Senator Bill FRIST and Senator Ron WYDEN, has significantly improved the accountability aspects of the 1994 Ed-Flex demonstration program. This legislation emphasizes that flexibility is a tool in helping States and districts achieve education goals and standards. It also highlights the importance of States having, in place, first-rate accountability systems that will track the progress of schools and students impacted by the waivers granted under Ed-Flex.

I believe passage of this legislation also gives us an excellent introduction to the debate we must have on the Elementary and Secondary Education Act, the law which contains most of the federal programs designed to assist students and teachers in our elementary and secondary schools. This law must be renewed in this Congress.

Through the Ed-Flex debate, we have discussed the importance of accountability, the roles that the various levels of Government play in the elementary and secondary education system, professional development activities for teachers and other school personnel, and most importantly, student achievement. All of these issues are essential elements to the structure of the Elementary and Secondary Education Act reauthorization effort.

As we embark on a new century, it is the perfect opportunity for us to examine the federal role in our education delivery system. At the beginning of this current century, the biggest education challenge facing this country centered around increasing the number of individuals graduating from high school. In the early 1900s, fewer than seven percent of seventeen year-olds graduated from high school. In 1999, that percentage has risen to slightly over eighty percent.

Although continuing our efforts on increasing high school graduation rates is still important, our biggest challenge at the close of the 20th century is to ensure that our Nation's schools are all high quality academic institutions. The bill before us today gives states and towns greater flexibility in meeting that challenge.

This legislation is not meant to serve as the sole solution for improving school and student performance.

However, it does serve as a mechanism that will give states the ability to maximize various education initiatives through flexibility with real accountability. I urge my colleagues to support the passage of the conference report to H.R. 800, the Education Flexibility Partnership Act.

I would like to take this opportunity to thank Senator BILL FRIST for his leadership in this area. He has worked tirelessly over the last year on this legislation with Senator WYDEN. I thank both of them for their dedication and efforts.

I would also like to thank the ranking member of the committee, Senator KENNEDY. He has been especially helpful in adding many of the accountability provisions contained in the conference bill before us. I thank him for his cooperation and leadership.

I also thank all of the Senate conferees for their assistance and cooperation.

I would also like to acknowledge the hard work of the chairman of the House Education and Workforce Committee, Congressman BILL GOODLING and the House sponsors of this legislation, Representatives MIKE CASTLE and TIM ROEMER. They have worked very hard on this legislation.

I would also like to thank Wayne Riddle with the Congressional Research Service and Mark Sigurski with the Senate Legislative Counsel Office. They have been very helpful with their technical advice and assistance.

I also extend my appreciation to Gail Taylor and Bob McNamara with the Vermont Department of Education. They have been extraordinarily helpful with their technical assistance.

Mr. President, we are now considering the Ed-Flex conference report which passed the House 368-57 about an hour and a half ago, so we are on our way, at this moment, to getting the bill down to the President, so that he can sign it. And, the President has agreed to sign this bill.

This is the last unfinished business that we had on a number of education bills that we passed last year. This one passed the education committee, but did not go any further.

The major changes that were made in conference dealt with the question of how much flexibility we should give the States in the utilization of funds for the purpose of the 100,000 teacher provisions that were attached to the bill.

When the bill left here, the Senate gave the towns the flexibility to use the teacher hiring funds for IDEA if they felt it would be better utilized. That was objected to by the President, who felt it was more important to have the funds elsewhere other than to help with special education.

We did reach an agreement, however, which was satisfactory, obviously from the vote in the House. This agreement is that those States which are already at the 1-teacher-to-18-students ratio would not have to utilize the funds to hire teachers. Rather, those States that have already reached the goal of 1 teacher per 18 students would be able to use the funds for professional development.

We have, I think, a good compromise, though I am sure the Senate, as indicated by its previous vote, would prefer to help special education. Another very high priority is the question of improving teacher performance.

Mr. President, I yield to Senator FRIST such time as he may consume.

The PRESIDING OFFICER (Mr. BUNNING). The Senator from Tennessee.

Mr. FRIST. Mr. President, as the sponsor of this critical education bill that we have before us, I would like to thank Senator JEFFORDS, who is Chairman of the Senate Health, Education, Labor, and Pensions Committee, for his hard work on this bill that began well over a year ago. He really undertook the initiative and expressed his willingness to take this bill, a bill that will benefit millions of children in public schools all across this country, through his committee, not once but actually two different times, and then to shepherd it through the process of floor consideration and, most recently, the debate and discussion in the conference committee.

Last Congress, the chairman had a truly remarkable record of passing numerous education bills through Congress and having them signed into law. Most people in America are not aware of the significant number of bills, all of which get translated down to investing in the future by investing in our youth today.

Ed-Flex was the only one of all of those bills that we did not complete last year. It was unfinished last year and fell over into this year. I am glad the chairman took the initiative of saying this is the final building block from the last Congress and shepherded it through the legislative process to where we are today. Today we will have several hours of debate and ultimately a vote that I am confident will result in adoption of this conference report. It will ultimately be signed by the President of the United States, again to be translated into an investment in our children.

I think we all hope that the passage of Ed-Flex bodes well for another 2 years of positive education accomplishments in the Senate Health, Education, Labor, and Pensions Committee.

Mr. President, I started working on this bill to expand Ed-Flex with Senator RON WYDEN, who will address this body in a few minutes, along with Governors VOINOVICH and Carper at the National Governors' Association a little over a year ago. That occurred just following completion of a task force which was set into motion by the chairman of the Senate Budget Committee who felt very strongly that an important role for us in the Senate Budget Committee is to provide oversight of existing programs.

Senator DOMENICI basically said: What I would like to do in the Budget Committee is look at some of the programs that we have out there in education. That task force resulted in us looking at a number of programs, one of which was a demonstration project called Ed-Flex.

Shortly after that oversight process, we began to ask more and more questions. We went to the Governors, and the Governors came to us. It became very clear that Governors—Democrat, Republican and Independent—felt very strongly that one of the most important things that we could do, if our

goal in this body is really to improve our public schools, is go back and look at some of the problems. And one of the obvious problems the Governors pointed out was the excessive regulations—not the intended goals but the excessive regulations. The Governors addressed this, at the level of the National Governors' Association, and they came out with numerous statements. This is one of their statements from February 23 of this year in which they said:

Congress should grant all states this important tool that will accelerate the pace of school reform and move the nation closer to meeting its goal of raising student achievement. Congress should pass Ed-Flex now.

I am delighted that now is the time, that we will all have the opportunity to cast that final vote in this body, so that not just 12 States but all States in this country can have the opportunity to have increased flexibility, maintaining strong accountability with Ed-Flex.

In the task force in the Budget Committee, as many of my colleagues know, what we learned is not necessarily good news as we look at education. We spend billions of dollars every year on a system that, unfortunately, if we look at the final product—and that is an educated student—is failing our students miserably. Achievement levels are staggering at almost every age group in almost every subject matter. And if we compare our students to students in other countries, it appears that the longer a child is in an American school, the worse off he or she is when compared to their international counterparts. That is in the United States of America today.

At the same time, we see, as we look at this global comparison, that the world is getting smaller, barriers are falling down. Our students today are and will be competing internationally. New technologies and an increasingly global marketplace are fueling a growing need for well-educated workers who are able to compete with their peers worldwide. Unfortunately, we are equipping too few American students with the ability to compete in those jobs.

Ed-Flex is not a panacea; it is a first step. What this particular piece of legislation will do is take a demonstration project that is currently underway in the 12 States—which appear in yellow on this chart—and expand that opportunity of flexibility with accountability to all 50 States. We have a really clear-cut demonstration in States like Texas, where Ed-Flex programs have been implemented, that they have been successful in increasing student achievement. It is not a panacea though; again, in my mind, it is a first step. But it does shout certain things. It shouts that we can do better. It shouts the importance of elimination of unnecessary regulations. It shouts flexibility coupled with accountability. It shouts efficiency. And it shouts state and local control of education.

As we look forward, I suspect that we will devote a large portion of our legislative session to considering other education issues, many of which were discussed on the floor in our debate of Ed-Flex. These education reform measures will be addressed in the reauthorization of the Elementary and Secondary Education Act. But Ed-Flex, the bill today, is, I believe, the first step in that process.

The success stories we have heard again and again come from innovation at the state and local level. I am sure all my colleagues in this body could share an example of one sort or another from their particular State of an innovative school, an innovative principal, innovative teachers.

One such in my own State of Tennessee is the Cason Lane Academy in Murfreesboro. Another example we have all heard about again and again in this body is the Chicago Public School System which went from being the—I quote—"worst school system in America," as deemed by then-Secretary of Education Bill Bennett, to a model for reform and innovation.

Part of the reason that both Cason Lane back in Murfreesboro, TN, and Chicago have been successful is that they have been free from some of the heavyhanded or shackling Government recommendations at both the State and the Federal level. Once they are freed from these regulations, clearly having a well-defined plan, having strong accountability built in, they have been able to creatively address some of the problems they face and give their students that opportunity to achieve a better education.

What our Ed-Flex bill does is give that same opportunity to States which do not have that opportunity today. It will give it to those states, and local schools and those local school districts so they will have the opportunity to meet the stated goals of Federal legislation, but how they meet those goals will be determined and based on local need. And that is what our Ed-Flex bill does.

We have heard a lot from Texas about the success there. Test scores have been on the rise for all students, even for those categorized as "educationally disadvantaged" who receive title I services. Paperwork demands on teachers and principals were dramatically reduced. The bureaucratic demands on their administrators were greatly reduced. Texas even claims that a whole new environment has been created that is—and I quote—"free of any real or perceived barriers to education reform." All States will be able to have that flexibility and that accountability.

I am pleased that Congress came together in a truly bipartisan way for what really should be and is a non-partisan effort to enact this education reform. I was disappointed, however, that the Administration was very threatened by the provision which offered states greater flexibility in using

appropriated dollars to either reduce class size or for individuals with disabilities in our school systems. That particular amendment is not part of the legislation we are debating today.

That Lott amendment would have given States yet another option how they would use that money. That was important, I believe, in the debate that came forward because Ed-Flex is about that fundamental principle of untying the hands of those people who are closest to our students, those people who are in the best position to identify what needs there might be—whether it is construction or class size or more computers or hooking up to the Internet.

The Lott amendment was very much in this same vein. I am disappointed that the President came forward and threatened to veto this particular vision to give States more choice. The Administration's veto threat, which we dealt with last week in the Conference Committee, I believe underlies the President's rhetoric about increased flexibility—which he made in this building during the State of the Union Message—but that in truth is more limited than what we see in reality. Nevertheless, I am delighted with the outcome of this particular bill to cut redtape, to increase flexibility in education.

I have enjoyed working with a number of Governors. Later in the afternoon I hope to be able to recognize some of them by name, a number of Members in the House of Representatives, and a number of Senators. I am pleased that the 106th Congress has started out on such a positive note in addressing one of America's most pressing issues, and that is the education of our children. I am proud to have been a coauthor of this bill and look forward to seeing millions of schoolchildren benefit from an expanded Ed-Flex program.

Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I thank the Chair.

Mr. President, I thank the Senator from Massachusetts. I know he is waiting to speak as well. I thank him for the chance to follow my colleague, Senator FRIST.

For too long the major political parties in this country have been at war on the education issue. Today, with this bipartisan legislation, we are beginning to make the peace and to do it in a way that is good for America's children.

I especially thank my colleague, Senator FRIST. He and I have worked together on this legislation for many months. The heart of this legislation is that now we will be able to take the dollars away from various bureaucratic Federal requirements and pour those dollars into our classrooms to help our kids.

This legislation involves eight Federal programs and more than \$12 billion. What we have found in the course

of our hearings is that again and again across this country we are wasting a substantial portion of that money on various duplicative Federal rules that essentially put our local school districts through what one called to me "bureaucratic water torture," when what they want to do is put those dollars into our classrooms.

I happen to think both political parties have made an important contribution in this discussion about education. A number of my colleagues have said, before we spend additional money, we are going to have to spend billions and billions of dollars that the Federal Government allocates today in a more effective way.

The Ed-Flex legislation does that. That is why Senator FRIST and I have made it a priority, and that is why we have told our colleagues in the Senate we want that to be the first education bill to come to the floor of the Senate: Before you go to the American people and ask for additional funds, demonstrate clearly you are spending the dollars that are allocated today effectively. That is what this legislation does.

I also think a number of our colleagues, led by the distinguished Senator from Massachusetts, Mr. KENNEDY, are absolutely right in saying that additional money is going to be needed for education. It is going to be needed to ensure we have the technology we need for youngsters. It is going to be needed to reduce class size in America, and I think that is an important part of this debate as well. When this legislation is signed into law by the President of the United States, we are going to go on to consider that legislation. I submit to our colleagues, we are in a lot better shape going to the American people to ask for additional funds when we have proven with legislation like Ed-Flex that we can squeeze more value out of the existing dollars that are being allocated.

Make no mistake about it, existing funds are going to be liberated with Ed-Flex and are going to help us achieve some objectives that Members of this body feel very strongly about.

For example, Members of the Senate on both sides of the aisle very much want to reduce class size in America. Existing dollars using the Ed-Flex program can do that. In fact, in a school a short distance from here, in Howard County, MD, the Phelps Luck Elementary School used the Ed-Flex program to reduce the average student/teacher ratio in math and reading from 25 to 1 to 12 to 1.

Some of us believe we are going to need additional dollars to reduce class size in America, but make no mistake about it; under the legislation that Senator FRIST and I have brought to the Senate today, we can use existing dollars to reduce class size in America. I think that is something of value to our colleagues.

I will pass on one example from my home State of Oregon from The Dalles

High School that I think sums it all up. We found at one of our high schools in rural Oregon that low-income students were unable to take advanced computer courses at a local community college because the high school lacked the necessary equipment and instructors. Yet there was a community college very close by, and we were not able to use the dollars that had to be spent at the high school at that nearby community college without going through all kinds of redtape and bureaucracy. With Ed-Flex, we were able to use those dollars earmarked for the high school at the local community college without any additional cost to the taxpayers. The students were able to go to the community college. They got the training they needed. Ed-Flex, again, showed that with just a modest change in Federal regulation, we could do a better job of educating young people in America.

We have had this program, as my colleague from Tennessee has noted, in 12 States. We have debated this on the floor of the Senate for some time. And through that debate, there has not been offered one example, not one in any community or any State, of low-income students being exploited in any way. I cannot recall another Federal program where it has not been possible to show some problem somewhere, but in the course of this debate, which has gotten a bit contentious, as we know, over the last few months, not one example has been produced with respect to how this program in 12 States has been abused.

The fact is, it has worked. It has worked everywhere. The scores are up in the State of Texas where they are using it. Class size is down in Howard County where they are using it. Students are getting access to advanced technologies in my home State of Oregon. It has worked virtually everywhere, but it is going to work even better when we pass this legislation.

I will close this part of the debate by saying I am especially pleased, and I thank my colleague from Tennessee for his help on this, with the changes in this legislation to ensure that the role of Ed-Flex will be expanded in a variety of areas involving interactive computer technology in our schools. When this Ed-Flex legislation becomes law in my State, which was the very first in the country to pioneer this, it is going to start a new program using Ed-Flex authority so that every second grader in the State of Oregon will be able to use interactive computer technology to learn and improve their reading skills.

I am especially pleased that we have been able to add this technology waiver program. This is a good day for the Senate.

My colleague, Senator FRIST, thanked so many people when we were on the floor before, but I especially thank Ms. Lindsay Rosenberg of my staff who is with us here today.

Bipartisan legislation such as this does not happen by osmosis. It happens

because a lot of our staff have spent a lot of weekends and evenings working on this legislation. Today the first bipartisan education bill is coming to the floor of the Senate. It offers a fresh, creative approach to Federal/State relations, one with enormous potential for improving education for all our citizens.

Mr. President, I yield the floor.

Mr. FRIST. Mr. President, again, I want to thank my cosponsor, Senator WYDEN, as we have taken this bill forward, for all of his tremendous assistance on the task force last year, as well as today.

Also, because I mentioned the National Governors' Association, I want to very briefly point out how important was their participation in this legislation. Again, it was bipartisan from the outset. I think much of what we do in the future will be with the Governors, as we work together, recognizing the local control of education being so vital and important. Governor Carper, chairman of the National Governors' Association; Governor Ridge, chairman of the Republican Governors Association; Governor O'Bannon, chairman of the Democrat Governors Association; former Governor and now Senator VOINOVICH, who has been so instrumental in this legislation; and Governor Leavitt, vice chair of the NGA, as well.

At this juncture, I yield 15 minutes to my colleague from the great State of Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. ASHCROFT. I thank the Chair.

Mr. President, I look forward to the passage of the Ed-Flex Partnership Act, which I believe will liberate schools and teachers from the costly burden of Federal mandates and regulations. It is very important that we free our teachers to teach and that we free the resources of the educational system to meet the needs of students, rather than to satisfy directives of the bureaucracy.

I believe this bill will give America's teachers more freedom to teach. It will release them from countless hours spent filling out forms from Washington, DC. The State of Missouri's 525 school districts will have more time to educate their children and a greater ability to decide how best to use the precious resource of taxpayer dollars, and how to use those to devote them to the best interests of students and student achievement, and not for a sort of edification of the bureaucracy in Washington.

So I want to thank Senator WYDEN, Senator FRIST, and Senator JEFFORDS: Senator JEFFORDS as chairman of the relevant committee, and Senators FRIST and WYDEN, who are the lead cosponsors of this important legislation. They have done wonderful work here.

This is work designed to find its way all the way to the student in the school system. So much of what is done in the name of education never finds its way

to the student. So often it edifies the bureaucracy, or builds it, or strengthens it. So often it applies to some hierarchical part of the State educational system. But Ed-Flex is designed to carry the benefit all the way to the student. There is one thing that we care about more than anything else, and that is the student in the school system. Sometimes we lose sight of that. I commend Senators FRIST, WYDEN, and JEFFORDS for their having kept the student in focus in this particular measure.

I am also pleased to support this conference report because it contains an amendment that I proposed, which makes an important change to a discipline provision within the Individuals with Disabilities Education Act. Now, this provision, which the Senate approved by a vote of 78-21, gives school authorities the opportunity and the right to discipline any student who possesses a weapon on school premises. This provision allows a school to place a student—even a student with a disability—in an interim alternative educational setting if the student carries or possesses a gun on school premises. This action closes a loophole in the IDEA law that only permitted a school to take disciplinary action if the child carried the weapon to school, but not if he or she possessed the weapon at school.

My intent in offering this provision over a month ago was to empower schools to maintain a safe and secure learning environment for students, teachers, and for other school personnel.

America is saddened today, and we all grieve at yesterday's tragic situation in the Columbine High School in Littleton, CO. That situation underscores the need for us to continue to find ways to help teachers, parents, and school officials maintain safer schools. We need to be creating a learning environment that is free of undue disruption or violence. We should give local school officials the authority to enforce zero tolerance of weapons brought to school. That is a step in which this bill goes when it includes the ability to discipline students who bring guns to school or possess guns at school.

I know all of us here offer our condolences, heartfelt sympathies, to all of the families, the loved ones, the teachers, and to the communities that surround or are involved in the tragedy in Colorado.

We don't know all the facts of this incident. We don't know the complete background on the students who are allegedly involved in this situation. But this incident should prompt in us a desire to examine our current Federal laws and to make whatever necessary changes there are, if there can be changes made to prevent tragedies like this from occurring.

Since I became a Member of the Senate in 1995, I have had concerns about school safety. I have already worked to

make improvements in Federal law to create a safer learning environment for students and teachers. My involvement on this issue began with the 1995 killing of the 15-year-old in St. Louis named Christine Smetzer. She was killed in the restroom of a high school in St. Louis County.

Now, the male special education student convicted of murdering Christine had a juvenile record and had been caught in women's restrooms at a previous school. However, the teachers and the administrators at McCluer High School where he was transferred say they were not informed of the student's record when he transferred to their school. So here you have a student who should have been identified, could have been identified as a student who had a special potential for the kind of violence and danger that transpired. The student was transferred, but the information that would have alerted school officials to make the school a safer environment, to help that student avoid the commission of the crime, and certainly to prevent the kind of tragic outcome, the killing of another student, our Federal laws were part of the problem that kept that from happening.

So in response to that, I secured a provision in the law requiring that student disciplinary records transfer to a new school when the student transfers to a new school. That was just a small step taken in response to that 1995 problem with student discipline requirements that the Federal Government imposes.

Now, the discipline provision in the bill that we are discussing here today was something that I, frankly, came to understand as a result of discussing concerns with Missouri schools. A suburban Missouri school district told me it found a disabled student to be in possession of a weapon at school, but the school could not be sure that the student had actually carried the weapon to the school premises. This school told me it needed this loophole closed to ensure that it could act swiftly and with confidence to an obviously dangerous situation.

You can imagine the inability to discipline somebody because they said, "I didn't carry the gun on to the premises, I just got it after I was here," or "I found it in my locker or on the floor," or "You can't prove that I brought it into the school. Therefore, you can't discipline me for having a gun at school."

What a terrible situation that is. So when I sought to offer this amendment—which was passed overwhelmingly by the Senate and remains in the conference committee report—it was in response to this need to make sure that the Federal Government doesn't have rules that make it impossible for local schools to be able to maintain a secure and safe school environment.

Interestingly enough, 2 weeks ago, I was traveling in the State of Missouri, talking with teachers and parents and

principals and administrators to get their input about education. Time after time, they talked to me about safety and about discipline. Very often, they even mentioned weapons at school. They mentioned that the Federal law was handcuffing their ability to take appropriate steps to keep their schools safe.

In a specific school—I was told by the administrator of that school, this is not a hypothetical, but I choose not to name the school because the school would prefer not to be identified—I was told of a situation in a rural Missouri school where a disabled student had made numerous threats against both students and staff, had threatened on at least seven occasions to kill other students or staff. The school was aware of the threats, but was hindered by the Federal law from taking steps that they thought were most appropriate to deal with the student.

Later, this high school student finally shot another student. The shooting happened off school grounds and the school was able to remove the student from the classroom once the shooting had taken place.

But I wonder if we might think carefully as to whether or not the Federal requirements which tie the hands of State officials and school officials regarding school discipline, whether those Federal knots, Federal handcuffs—ought to be taken off our school principals, our teachers, our administrators, our school boards so that they have the ability at an early time when there is an early warning to take steps to avoid the tragedy that can otherwise exist. In this situation they weren't able to actually get done what they needed to do until another student had been shot. I don't believe that resulted in a fatality. But the difference between someone wounded and someone killed is frequently not something we can take a great deal of consolation in because that bullet could have been deadly.

Another school superintendent reported to me that Federal law required him to return a disabled student to the classroom after the student threatened to shoot school employees.

We have seen the tragic gruesome events in States close to Missouri, in schools in Jonesboro, AR, in Paducah, KY, and now in Littleton, CO. I don't want to see this happen in my home State of Missouri. I don't want to see these kinds of things happen anywhere.

Again, I emphasize: We do not—I repeat "do not"—know all of the facts of the Littleton incident. We do not know if they were special education students subject to the Federal IDEA laws or not. But we do know that this situation should prompt us to examine all of our Federal laws involving school safety.

We have a massive tragedy waiting to happen if we have Federal rules and regulations which keep our school officials across America from being able to control schools, control students, and discipline students appropriately.

We have a massive tragedy waiting to happen if we don't allow teachers and administrators to keep students who have guns from coming onto the campus and being on the campus.

The provision that is in this measure, which I have had the privilege of sponsoring, ends one of these laws and helps protect our kids from gun violence in schools.

The tragic events at schools across the nation in the last year or so say something very, very troubling about our culture.

In Springfield, MO, which is my hometown—I grew up there, went through school grades 1 through 12 in Springfield—just hours after the shootings at Columbine High School in Colorado, the school board voted to approve arming its school district security guards with weapons. I am saddened that the board had to take this action. But it reflects the harsh reality of our culture today.

I think all of us wonder why these incidents of violence happen. Children against children—what does it say about our culture?

Have we developed a culture of violence which degrades the value of life?

We wonder about the movies, movies and video games and music, the so-called gangster rap—I am not even sure how to label it—which talk about this kind of killing and suicide, and the disrespect for fellow students and fellow human beings.

I think we need in our society to re-examine what our culture is teaching our children.

What are we saying? What are we promoting with the death, with the violence, with the glorification of drugs in so much of the literature, and as a matter of fact, in much of the music?

Parents need to be concerned.

These aren't all things that government can have much to do about, but I think our parents need to be concerned about the level of exposure that our children have to things which degrade the appreciation for life and desensitize our feelings toward death.

The joystick on a video game may punch out an opponent on the screen, and one might be able to kill, kill, kill, kill just by punching the button on the computer.

I think we have to be careful that we don't create in ourselves the mentality of disrespect of what ought to be an appreciation for life, and desensitize our feelings.

Obviously, Congress can't solve all the problems.

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

Mr. ASHCROFT. I ask unanimous consent that I have another 60 seconds.

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

Mr. ASHCROFT. Mr. President, we can act to ensure that our legislative policies empower parents, teachers, principals and administrators with the ability to ensure that our children

have a safe learning environment. I believe that is something we owe America.

Current Federal education laws preclude schools from dealing with early warning signs of danger. It is time for us to end that. I am pleased that we have done it to a small degree in the Ed-Flex measure.

I am grateful for the sponsors of this measure and for the excellent work they have done for America and education.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. FRIST. Mr. President, I understand the Senator from New York will be speaking for about 5 minutes, after which I will have 5 minutes.

The PRESIDING OFFICER. The Senator from New York.

Who yields time?

Mr. KENNEDY. I would be glad to yield 5 minutes to the Senator.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, I thank the Senator from Tennessee and the Senator from Massachusetts for yielding me this time.

Mr. President, this afternoon we are talking about education legislation.

Today, all of our thoughts and prayers go to one school in Littleton, CO. Yesterday's massacre is all too familiar. It is America's recurring nightmare. It leaves us shocked and numb. It takes away our innocence. It makes children afraid to go to school.

This morning I had breakfast with my daughters. I do that every day before they go off to the schoolbus. Usually, it is routine, but today the conversation was a little different, both for me and for my girls.

Yesterday, as we sat transfixed to our television sets praying for those caught in the crossfire and hoping for an explanation of the carnage, we heard the same phrases that we heard in Pearl, in Springfield, in Jonesboro and Paducah.

"This is a quiet town."

"Nothing like this happens here."

"We do not have crime problems in this town."

"It didn't seem real."

"This is a good school."

"Could it have been prevented?"

"How could someone be so distraught to murder, and, yet, no one in authority knew?"

"How did they get a gun?"

"What can we do?"

The same words each time.

Each time there is a new tragedy, we act as if this will be the last in a list of school shootings. But it is not the last.

As sad and as horrible as it seems, this will definitely not be the last time we tune in to our television sets to see children fleeing from their schools.

I have taken to the floor today to ask that we in Congress make a concerted and comprehensive attempt to address school shootings. I want, today, to list some ideas, many of which have al-

ready been discussed, some of which haven't, which I hope we can agree to work on and come up with some solutions that may make a difference. We have counselled teenagers since time began who have struggled with personal and psychological problems. The difference today is that through computers, fantasy worlds, lethal guns, and explosives, the damage that a disturbed boy can do today is 1,000 times worse than it was when we were kids. Some schools are very good at counseling. Most are not. We need to help schools get better at counseling.

We need the Federal Government to help share information among schools so that good schools can teach those schools that do not do very well how to do it. There are too many young boys and girls with troubles and too few well-trained people to handle them.

Second, the people who best knew that there were troubled kids in Columbine High were the students at the school.

Students need to be encouraged to confidentially identify for the school psychologists and counselors those in the school who are exhibiting dangerous behavior and who need help. It is usually not the nature of a teenager to approach an authority figure to say someone in class is doing something strange. But it is not impossible to change that. If they know they are helping someone, kids will answer the call.

Then there is the issue of hate groups. It is shocking that a large number of students in Littleton knew that yesterday was Hitler's birthday. That is because this group of so-called Goths idealize and proselytize about Hitler. But school authorities had no idea that there were those who worship Hitler in the school.

We have to identify and we have to exchange information about hate groups and be far more vigilant in condemning these activities. Principals, teachers, and students must be encouraged to speak out. We have to get hate, white supremacy, and guns out of the schools. We don't know yet how these youths got their weapons. Did they take them from their parents? Did they steal them from a neighbor? Did they buy them off the Internet? Did they get them at a gun show or store?

We must accept that any solution has to involve a change in gun laws. A teenager can only do so much damage with his fists. There have always been troubled teenagers. All of a sudden they seem to have the ability to do so much more damage. We can work on trying to change teenagers. We should also work on making sure that the instrumentalities of death and destruction cannot end up in their hands.

We have to close off loopholes that allow kids to get a gun. We should ban unlicensed Internet sales. We should pass Senator KENNEDY's child access prevention law. The House should pass Congresswoman MCCARTHY's comprehensive legislation. We need the



President to help us, to lead us in passing this type of legislation. We should also begin an effort in the public and private sectors to invest research money in "smart" guns that cannot be used by anyone other than the owner. This is an area where the military and the private sector can come together and do a lot of good. I will be talking more about that later in the week.

Mr. President, it is not enough to wring our hands and pray it won't happen again. We need to act. Let's resolve to work together to do what is necessary to protect our children. Let us focus on better counseling, condemnation of hate groups within the school, encouraging students to come forward, and much better laws preventing kids from getting guns.

We are all in mourning today. When the tears are dry, let's not pretend that this won't happen again.

Mr. DURBIN. Will the Senator yield?

Mr. SCHUMER. I am happy to yield.

Mr. DURBIN. Mr. President, I say at the outset, I salute the Senator on his remarks. I think he struck the right tone. There is a sense of mourning and sadness across America for what happened in Colorado.

We have to address the needs of troubled children. I think the Senator from New York was correct in highlighting that. I think he also calls us to task, too, to do something sensible about gun control. A troubled child is a sad thing; a troubled child with a gun can be a tragedy not just for himself but for a lot of innocent youngsters.

I ask the Senator if he can indicate to Members those legislative initiatives we should be considering that might slow down the violence we are seeing too often in America and too frequently in our schools?

Mr. SCHUMER. I thank my colleague from Illinois for his comments. There are a lot of initiatives. The Senator from Illinois himself has been a leader in this area. There are many things we can do.

In this specific instance, we don't know where the guns came from. They may have come from gun shows. Gun shows are open markets where virtually anyone can buy a gun. They may have even been bought off the Internet. There are almost no rules for controlling gun sales on the Internet.

We also can proceed with trigger locks and much stronger legislation in terms of making schools gun free.

These are things we can come together on. I think they are things that most experts agree would not eliminate the chance for this occurring but greatly reduce it.

I look forward to working with the Senator and all Members of this body to do something about this. It is just awful when you see the pictures. Everyone is moved to try to do something to prevent it.

PRIVILEGE OF THE FLOOR

Mr. KENNEDY. Mr. President, I ask unanimous consent that Angela Williams and David Goldberg, detailees in

my Senate Judiciary Committee, be permitted floor privileges.

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

Mr. KENNEDY. I see the good Senator from Ohio. I know he has been waiting. I yield 5 minutes to Senator VOINOVICH.

Mr. VOINOVICH. Mr. President, I appreciate the courtesy of the Senator from Massachusetts.

I rise to support approval of the conference report on Ed-Flex. However, I would be remiss if I didn't respond to the remarks of Senator SCHUMER and Senator ASHCROFT in terms of the tragedy that took place in Colorado and expressing the sympathy of the people of the State of Ohio to those families who are suffering today as a result of that tragedy. As one who has lost a child from a tragic automobile situation—instant death—I can understand the trauma those families are experiencing right now.

I think it is a sad commentary on our society that this happened in Colorado, as well as other States, as mentioned by Senator ASHCROFT and Senator SCHUMER. There is something wrong with our society and I am not sure we can solve it here on the floor of the Senate. I think it has to be solved in the hearts and the minds of the people who reside in our country. I think a lot has to do with turning back to our family and our moral values that are so important and which inculcate in us respect for our fellow man.

I grew up in a family where I was taught to respect all individuals. It wasn't a man's color of skin, their religion, or their socioeconomic status that mattered; it was their character.

I think there may be lots of responses to this tragedy, but I cannot help but think if they go back to the Boy Scout motto, the Girl Scout motto, and some of the basic fundamental organizations that build character, that this country will be far better off.

In spite of everything we do, in my State I was ridiculed because we made a major capital improvement to put metal detector devices into our high schools. Many people said we shouldn't have to do that in our high schools, and that money went that quick. We wanted to guarantee that at least when kids were in school, they knew their classmates didn't have some kind of weapon. I am sure that perhaps in that school district, nobody even gave any thought that that kind of a situation could occur.

The other area I think we need to recognize is that, unfortunately, youngsters today aren't getting the kind of moral and family and religious training at home and the responsibilities are falling more on our schools. In Ohio, we aggressively pursued a mediation and dispute resolution program in kindergarten and first grade to try to teach children that when they have differences of opinion with other indi-

viduals, they sit down and talk them out; they don't use physical force to resolve their problems. We have recognized in our State that social service agencies have to be connected. We are locating them now in our schools. If we identify a youngster with a problem, that student can get the help they need. More important than that, most of the time the family gets the help they need so that they don't participate in antisocial behavior.

There are a number of things that need to be done. I hope we don't, as a response to this, think there is just one approach that will make a difference. It will require a multifaceted approach, and again, looking into our own heart and soul.

Ed-Flex, which I have worked on as well as the Presiding Officer, Senator FRIST, might also help because it will give school districts around this country the opportunity to take money which is available to them through the Federal Government, and if they feel there is a better way that money can be spent to make a difference in the lives of children, they are going to be able to do that.

Many children who don't do well early on in school become frustrated; as a result of that frustration, they turn to antisocial behavior. One of the things that stands in the way is that they are unable to read.

Because of Ed-Flex, school districts that are title I schools, school districts that can take advantage of the Eisenhower Professional Grant Program, are going to have the opportunity to change the use of those dollars and put them into reading. We found that in the State of Ohio, when we have taken the Eisenhower professional grant money that says you have to use it for science and math and it has allowed us to take that money and use it for reading. We did that because in the early grades, if a kid cannot read, he cannot do math, he cannot do science. If I had my way, every title I school, every Eisenhower grant in the primary and secondary grades that are eligible for those programs would take advantage of Ed-Flex, would come back to their State school organizations and say, we could use this money better so we can make a difference in the lives of these kids.

Just think what a difference that will make in America today. We have in Ohio now what we have called a fourth grade guarantee. No child will go to the fifth grade unless they are able to read at that fourth grade level. That in itself, I think, would help a great deal with some of the problems we have in our schools today.

I would like to finish my remarks by giving some people some credit for this work on Ed-Flex: The majority leader who helped make this a priority for this Senate; you, Senator FRIST, for the terrific work that you have done; Senator JEFFORDS, Senator WYDEN, and everyone who has come together; the National Governors' Association, on a

bipartisan basis, that supported this legislation.

I just want it known, I do not know what is going to happen with elementary and secondary education. I do not know whether our Republican block grant is going to work or Senator KENNEDY's various education programs are going to work. But one thing I do know is going to work: Ed-Flex is going to work. I think if we let it work for the next couple of years we will prove, just like we have with our welfare reform system, if you give people on the local level the flexibility to use the dollars and to use the brains that God has given them, they can really make a difference in the lives of people. That is the thing about which we really should feel very, very good. I am glad I had a little part of it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, how much time now remains?

The PRESIDING OFFICER. There remain 43 minutes.

Mr. KENNEDY. Following that time, or at least some time, the good Senator from Minnesota has an hour, is that correct?

The PRESIDING OFFICER. That is correct, the Senator from Minnesota has an hour.

Mr. KENNEDY. Mr. President, I join with others who rise today to express our great sense of sorrow to those families and all of those who have experienced the loss and suffering in Littleton, CO.

Our hearts go out to the children and their families and all the victims of this latest senseless school tragedy. In the days and weeks to come, we will learn much more about how and why it could have happened—and why it happened again, after the fair warning we have had from similar tragedies that shocked the nation so deeply in recent years.

This terrible tragedy has scarred the Nation and reminded us, once again, about the fragile nature of the young children in our country who are going off to school every day. It reminds all of us that we have an important responsibility to do everything we can to give children the support and love they need, to help them as they walk the path of adolescence into maturity.

Obviously, the schools are an extremely important element in that development. But we know nothing replaces the home, nothing replaces a parent, nothing replaces those members of the family or friends who are loving, caring, and encouraging. Those who offer firmness in establishing guidelines and guideposts for children as they develop. So all of us are very mindful of those tragedies that are being experienced even while we meet here, of the tears that are being shed, and the struggle of many of those young children for their lives, even as we meet here today.

There is a certain poignancy since we are meeting on education legislation.

It is important legislation. It is worthwhile of passage. But I think all of us today are remembering Jonesboro, AR; Notus, ID; Springfield, OR; Fayetteville, TN; Edinboro, PA; West Paducah, KY; and Pearl, MS. Now we have Littleton, CO. All of those communities have been affected by violence in their community schools.

Perhaps reviewing the kinds of acts of violence that take place in schools, they do not appear to be overwhelming in total numbers, as we might think of total numbers. I think all of us are enormously moved and touched by these human tragedies, because, of course, all of us believe young children have such hope and promise and opportunity to live in our communities and in our country. Children offer so much to their families and to their loved ones. To see the violence snuff out innocent lives is a factor, a force in all of our souls that rings heavily.

So, all of us here in the Senate reach out to those families.

Mr. President, in reading through the newspapers in my own city of Boston today, there were some rather interesting articles which I will just mention here on the floor of the Senate, and then I will take time to address the measure that is at hand.

There was a conference taking place in Boston and there were excellent articles about that conference. I ask unanimous consent to have them printed in the RECORD.

There being no objection, the articles were order to be printed in the RECORD, as follows:

[From the Boston Herald, Apr. 21, 1999]

EXPERTS: GUN ACCESS, SOCIAL ANGER TO BLAME

(By David Weber)

Easy access to guns, an increasingly blurred line between fantasy and reality, and anger sparked by social rejection fueled the epidemic of school violence, according to experts.

"It's getting a little crazier and a little more frequent. It seems to be the boundaries between reality and fantasy are decreasing more and more," said Dr. Bernard Yudowitz, a forensic psychiatrist.

"As young people project themselves in virtual reality at movies and arcades and get their heads into that, life becomes virtual reality, which is not reality," he said.

Combine that with the age-old traits of teenagers—strong urges, feelings of aggression and a sense of omnipotence—and you have a dangerous mix, Yudowitz said. He said the feeling of omnipotence allows teens to ignore consequences to themselves and others.

"It (adolescence) can be a fun and creative time. But you need a context to provide boundaries," he said.

Citing his 30 years of working with young people, he said, "Adolescents are less and less grounded. If you don't have the proper sense of reality, you can't attach your values to anything of substance, and it all becomes a great big game."

For students rejected by their peers, that game is all the more dangerous, said author Hara Estroff Marano, who addresses the string of recent school shootings in the book, "Why Doesn't Anybody Like Me: A Guide to Raising Socially Confident Kids."

"I don't think the most important issues are gun control or security in the school,"

said Marano, an editor-at-large of Psychology Today.

"The real issue is what's causing this behavior, and the fact is kids who pull the trigger have problems along with their peers."

Working parents and school officials don't pay enough attention to the social competence of children. And when children become social outcasts, they're more susceptible to dark media messages.

"A normal, adjusted child who watches violent programming will come away with a different message than a child who lacks the social skills to get along with his peers." "They feel violent programs are in fact endorsing revenge."

John Rosenthal, co-founder of Stop Handgun Violence, said a proliferation of ever more lethal guns, along with irresponsible storage of the weapons in homes, is a big part of the deadly epidemic.

"I'm horrified but not surprised (by yesterday's shootings) because there were eight schoolyard shootings last year that killed 15 kids and wounded 44 others. All were perpetrated by teenagers, most of whom had access to high-powered assault weapons."

"In many cases, they were stolen from their parents or other relatives who left their weapons around loaded and unlocked," Rosenthal said.

"Like those other schoolyard shootings, (yesterday's) tragedy could have been prevented by reducing access to guns by kids. We can blame TV, the media and any number of violent movies, but access to guns is the real issue."

[From the Globe, Apr. 21, 1999]

DEADLY ACTS PUT FOCUS ON NEED FOR PREVENTION

(By Ellen O'Brien)

It has happened in Alaska, Arkansas, Oregon, Pennsylvania, Mississippi, and Kentucky.

All boys, all armed with guns and rifles, all creating a deadly fantasy where one day they would strike back, and often telling teachers and classmates their plans in advance.

And now, the nation turns its attention to the youths in Littleton, Colo., where the toll was the deadliest yet.

Once again, the country will stop talking about standardized testing and teacher's salaries and view children in classrooms as potential targets and killers. People will wonder how it could have been prevented and will worry about where it will happen again.

The incidence of juvenile crime in big cities, and of school violence, has been decreasing in recent years.

But these days, each angry act carries a far greater threat.

"These are still rare crimes," said Jack Levin, director of the Brudnick Center on Violence at Northeastern University. "But because of the easy access to handguns, we are seeing larger and larger body counts."

"All it takes," Levin said, "is one alienated, marginalized youngster who decides to get even."

In general, Levin and other specialists said, big cities have tried to respond to the issue of school violence with more preventive measures. Meanwhile, Levin said, the high-profile school massacres of the last decade occurred in suburban or rural towns.

"I think small-town America has to realize they also are in trouble, and need to supervise their children and take guns out of their hands—the way big cities have tried to do," Levin said.

Metal detectors and police presence in schools, lawsuits against gun manufacturers and media giants, and sentencing of juvenile criminals as adults have all been suggested



or tried. But none of these options, advocates agree, can stop school violence.

Academics, activities, politicians, and parents around the nation say solutions are obvious, though less tangible than an instrument that detects gun metal. They cite the British Parliament's approval of one of the world's strictest gun laws after 16 children and their teacher were gunned down in Dunblane, Scotland, in 1997.

They also point to overburdened schools, where the system is faced with a growing number of angst-ridden students.

"There's a real connection between" this violence "and the fact that counselors have huge case loads" and "an enormous amount of kids who evidence worry," said Margaret Welch, director of the Collaborative for Integrated School Services at the Harvard Graduate School of Education.

Still, deadly violence in schools is rare. June Arnette, associate director of the National School Safety Center in Westlake, Calif., which monitors school violence from news accounts, said that before yesterday, they had identified nine school-related violent deaths, including three suicides, during the 1998-99 school year. She said there were 42 violent school deaths in 1997-98 and 25 violent deaths the previous school year.

In Boston and many surrounding cities and towns, Community Based Justice has identified several boys who fantasized about killing their classmates or teacher and bragged about it or dedicated an English essay to it. The program, which brings together teachers, students, prosecutors, and police, updates reports on troubled children and suggests ways to help.

Few officials believe the students were going to carry out their elaborate plans. However, the children who appeared troubled were visited at home, and at least one, who was also displaying a fascination with setting fires, was referred this year to a program for violent youths.

As for metal detectors, Boston Public School Superintendent Thomas W. Payzant said they cannot prevent all students from carrying guns and knives onto school property.

Boston's Madison Park High School posted metal detectors at doors, but other city high schools supply officials with handheld detectors that are used sporadically.

Because it is feared that expulsions can lead to violent students returning with even more anger, troubled teens in Boston are sometimes referred to counseling centers, and can be readmitted after evaluation.

But Boston's school system has heard countless complaints from headmasters that there are not enough alternative schools where students obviously in need of help can attend classes.

"You can't do it with metal detectors," Welch said. "Support services need to be provided for all kids."

Mr. KENNEDY. Let me just mention a few quotations. This is one of the participants:

"It's getting a little crazier and a little more frequent. It seems to be the boundaries between reality and fantasy are decreasing more and more," said Dr. Bernard Yudowitz, a forensic psychiatrist.

"As young people project themselves in virtual relative movies and arcades and get their heads into that, life becomes virtual reality, which is not reality," he said.

Combine that with the age-old traits of teenagers—strong urges, feelings of aggression and a sense of omnipotence—and you have a dangerous mix Yudowitz said. He said the feeling of omnipotence allows teens to ignore consequences to themselves and others.

"It (adolescence) can be a fun and creative time. But you need a context to provide boundaries," he said.

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The real issue is what's causing this behavior, and the fact is kids who pull the trigger have problems getting along with their peers."

Working parents and school officials don't pay enough attention to the social competence of children. And when children become social outcasts, they're more susceptible to dark media messages.

"A normal, adjusted child who watches violent programming will come away with a different message than a child who lacks the social skills to get along with his peers." "They feel violent programs are in fact endorsing revenge."

Mr. KENNEDY. Then it continues on with some very constructive suggestions, from Mr. Rosenthal, who is a co-founder of Stop Handgun Violence, talking about responsibility, responsibility with regard to the availability of weapons. He is talking about the responsibility of parents who own guns to make sure the guns are securely locked and kept separately from ammunition, so no weapon is left loaded and accessible to children in a house; the responsibility of both manufacturers and dealers to prevent the proliferation of guns that are sold to children directly and on the black market, and that too easily get into the hands of gangs and the criminal element. These are important responsibilities that adults must meet. They are not going to be a cure-all. They are not going to be an end-all.

But they are a beginning. A beginning to provide a measurement of responsibility. We want responsibility from young people, from children, and we want responsibility from others as well who have the access and the ability to see that either weapons are available or not available to children.

We have 14 children die every single day from gun violence. None of us this afternoon have come up with a silver bullet to resolve all of these kinds of problems, but we ought to be able to take some measured steps to make some difference. It is not going to be enough to just shed tears, because they are empty tears, unless we are prepared to take some actions on these measures.

(Mr. HUTCHINSON assumed the Chair.)

Mr. KENNEDY. Mr. President, I listened to my friend from Missouri speak about a particular provision about guns which he offered to the legislation and which was retained in the ED-Flex conference report. I am also reminded that there was a very close referendum in his home State, only decided 53-47, on whether a felon could purchase and carry a concealed weapon—even allowing a felon to carry that weapon onto school grounds. The National Rifle Association said yes, they should be able to do that. There is a similar measure in Colorado itself, right now it is ready to be voted on by the state legislature. We will soon enough see statements

from the National Rifle Association supporting this law—urging that criminals ought to be able to have concealed weapons, even though they have committed felonies, that for their own self-protection they can carry those weapons anywhere, even into a school—come on now. Come on now. We cannot solve all the problems here, but we can reduce the access and the availability in these kinds of circumstances. We ought to at least ask ourselves, How hard is the National Rifle Association going to press on these measures? How many times do we have to be reminded about the tragic consequences these measures can have?

The good citizens of Missouri rejected that law. It is the first time we have had a referendum, and it was rejected by the public.

I am not here to describe what the position of the Senator was on that issue, but it does seem to me that to pass a law that says someone who has committed a felony—they could have been convicted of a felony like domestic violence—is permitted to go out and buy and carry a concealed weapon is not moving us in the right direction.

I hope as my good friends and colleagues have mentioned—Senator SCHUMER, Senator DURBIN and others who will speak on this—that we will be able to at least present to the Senate some recommendations which really demand responsibility from those who have access to keep those guns safely away from children.

It is interesting to me that this body has voted to effectively prevent the Centers for Disease Control from accurately calculating the number of injuries from gun violence because of the power of the National Rifle Association on the floor of the Senate and the House of Representatives. They do not want to know how much gun violence is out there. We do not let the Centers for Disease Control, using all their capabilities, even tell us how big the problem is.

Today, as we sit in the Senate, the Consumer Products Safety Commission has the ability to provide safety for toy guns for children so that the ends will not break off and a child will not gag or choke. But virtually all protections available to the Consumer Products Safety Commission for real guns that can be used against the citizens have been taken away. Isn't that extraordinary? The Consumer Products Safety Commission can issue regulations on toy guns for your children but not real guns that can kill you. Why? Because of the power of the National Rifle Association.

Mr. President, I hope people around the country who are sharing the grief of those families understand that there are no magic bullets to resolve these issues, but we can take some steps and we should take some steps to do something about it. I believe in requiring responsible actions by manufacturers who produce guns to have safety locks so that they will not discharge and kill

children if they are dropped and cannot be fired by a child who takes the gun without parental supervision, and requiring other safety provisions so they can only be used by those who purchase the weapon.

There are all kinds of technology available which add maybe a few dollars to the cost of those weapons, but can greatly improve the safety of the guns with just a little responsible action by the manufacturers, by the dealers, and by the gun owners. Hopefully, we can get their support for legislation that can at least reduce access and availability of weapons to children who are going to school. I hope we will be able to do that.

I think we can give the assurance that we will have an opportunity to debate those issues in this Congress, hopefully very soon, with or without the hearings in the Judiciary Committee; preferably with, but, if necessary, without. I do not think those measures are so difficult and so complex that the Members of this body cannot grasp them. We can have some accountability in the Senate on those measures.

Mr. President, on the underlying legislation, I urge my colleagues to support the ED-Flex conference report. We will have many opportunities over the course of this session to improve and expand the partnership with States and local communities to strengthen public schools across the nation.

I commend Senator FRIST and Senator WYDEN for their leadership on the ED-Flex Partnership Act of 1999. And, I commend Chairman JEFFORDS, Congressman GOODLING, and Congressman CLAY for their leadership in making education a priority in this Congress.

To date, the Federal Government has been a limited partner in supporting elementary and secondary education. However, we have made a substantial investment increasing the accessibility and affordability of college for all qualified students. For elementary and secondary education, the Federal Government provides 7 cents out of every dollar at the local level. The ED-Flex legislation is not going to provide an additional nickel or dollar to any school district.

In 1994, when Senator Hatfield offered, and I supported, an amendment to provide that ED-Flex program for 6 pilot states. Then we expanded the program to 6 more states so that there are currently 12 ED-Flex pilot States. The conference report today is simply an expansion of that program.

Mr. President, some may say, why don't we give complete flexibility to the local community? Communities need additional support. We know that the primary responsibility for the education of the nation's children remains within the local community, the local school boards, teachers, and parents, and with help and assistance from the States, and some help and assistance from the Federal Government.

When we first passed title I—I was here when we did it—we did not provide

the kind of statutory protections and accountability that we have today, many of which can be waived under ED-Flex. And what do you know? Five years later, they were using the title I programs to build swimming pools and buy shoulder pads for football players in local communities. It did not ensure that the neediest children who had the greatest needs were served and served well. So we amended the law to ensure that federal support for education was targeted on the neediest students and used on targeted purposes.

There is an appropriate role for greater flexibility—with accountability—and we recognized that in the 1994 reauthorization of the Elementary and Secondary Education Act. The ED-Flex Partnership Act is a worthwhile step towards improving public schools. By giving states the authority to waive certain statutory and regulatory requirements that apply to federal education programs, we hope to support and enhance state and local education reforms that will help all children reach high standards of achievement.

Families across the nation want Uncle Sam to be a partner in improving education. Parents are impatient about results. They want their communities, states, and the federal government to work together to improve public schools. In fulfilling our federal responsibility, we must continue to ensure that greater flexibility is matched with strong accountability for results, so that every parent knows their children are getting the education they deserve.

The ED-Flex conference report meets that goal by including strong accountability measures. Flexibility and accountability must go hand-in-hand in order to ensure that we get better results for all students.

If states are going to accept federal resources paid for by public tax dollars, we must ensure strong accountability. In the ED-Flex Conference Report, the House and the Senate maintained our commitment to serving the neediest and poorest children to help improve their academic achievement. Senator WELLSTONE worked hard to ensure that we retained these targeting provisions.

We have retained the amendment of my friend and colleague from Rhode Island, Senator REED, that insisted that we ensure that parents have a strong role in the waiver process and that they are going to be a strong partner in the educational decisions that affect their children. I commend Senator REED.

The conference report also helps see that increased flexibility leads to improved student achievement. Accountability in this context means that states must evaluate how waivers actually improve student achievement. Open-ended waivers make no sense. Results are what count. The Secretary of Education has the power to terminate a state's waiver authority if student achievement is not improving. States must be able to terminate any waivers

granted to a school district or participating schools if student achievement is not improving. If the waivers are not leading to satisfactory progress, it makes no sense to continue them.

I also commend Senator MURRAY for her work to ensure that our downpayment on hiring 100,000 new teachers to reduce class sizes in the early grades I retained. We will have an opportunity in this session to come back to the broader issue about whether it is going to be a matter of national priority that we continue our commitment to reducing class size. This commitment is one of President Clinton's most important initiatives on education. The Senate-passed bill would have undermined it, and the decision by the conferees to retain it is a significant victory for the nation's schools and students.

But, these accomplishments are not enough. More—much more—needs to be done to make sure that every community has the support it needs to implement what works to improve their public schools. We must do more to meet the needs of schools, families, and children, so that all children can attend good schools and meet high standards of achievement.

We should do more to help communities address the real problems of rising student enrollments, overcrowded classrooms, dilapidated schools, teacher shortages, underqualified teachers, high new teacher turnover rates, and lack of after-school programs. These are real problems that deserve real solutions.

We should meet our commitment to reducing class size over seven years. We should help recruit more teachers. We should improve and expand professional development of teachers. We should expand after-school programs. We should help ensure all children have access to technology in the classroom. And we should rebuild and modernize school buildings.

ED-Flex is a good bipartisan start by Congress to meeting all of these challenges. My hope is that these other proposals to address critical issues will also receive the bipartisan support they deserve, so they can be in place for the beginning of the next academic year this fall. Improving education is clearly one of our highest national priorities. Investing in education is investing in a stronger America here at home and around the world, and I look forward to working with my colleagues on both sides to address the critical education issues facing communities across the country.

Finally, Mr. President, I was visiting today with the leader in the House of Representatives, Congressman GEPHARDT, and we talked about education. He spoke very knowledgeably about a school he visited in Harlem, NY, that has had significant success in improving academic achievement of students. He pointed out that this school had been a school with 2,000 students. Overcrowding and discipline were a problem

that was impeding the academic success of its students. They decided to divide it into 10 schools of 200 students each.

The point is that the head mistress at that particular school was asked—as everyone asks—What is really the secret? Of course, we all know that there is no one answer to improving education. But this one course of action was one that both Leader GEPHARDT and I found very persuasive. By reducing the size of the school and classrooms, every teacher in that school knew the name of every student in that school; and every student in that school knew the name of every teacher. And every teacher in every class knew the parents by name of every one of their students and had a relationship with every one of those parents. They were then able to effectively reach students and academic achievement and discipline improved. They were able to develop a spirit and a sense of family in an area where students feel many kinds of pressures. Students were given the support, love, attention, discipline, and firmness, they needed to get results.

So, Mr. President, if we, as a society generally and as a people individually, offer our prayers for those families who have been affected and as a country begin to try to look at some of the issues that are presented by these tragedies in an important way, then perhaps even the extraordinary clouds that are over this, and particularly in Colorado, might part just briefly so some sunshine might come in and we may do better for our children in the future.

I commend and thank all the staff members for their skillful assistance on this ED-Flex legislation: Susan Hattan, Sherry Kaiman, and Jenny Smulson of Senator JEFFORDS' staff; Townsend Lange and Denzel McGuire of Senator GREGG's staff; Lori Meyer and Meredith Medley of Senator FRIST's staff; Suzanne Day of Senator DODD's staff; Elyse Wasch of Senator REED's staff; Greg Williamson of Senator MURRAY's staff; Bev Schroeder and Sharon Masling of Senator HARKIN's staff; Lindsay Rosenberg of Senator WYDEN's staff; and Connie Garner, Jane Oates, Dana Fiordaliso, and Danica Petroschius of my own staff.

I also commend the skillful work of the House staff on the conference committee, including Vic Klatt, Sally Lovejoy, Christy Wolfe, and Kent Talbert of the House Committee's Republican staff; Melanie Merola of Representative CASTLE's staff; Mark Zuckerman, Sedric Hendricks, and Alex Nock of the House Committee's Democratic staff; Charlie Barone of Representative MILLER's staff; and Page Tomlin of Representative PAYNE's staff.

I reserve the remainder of my time.

Mr. WELLSTONE. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I have been down here for about an hour and a half. I was

under the impression that I would follow Senator KENNEDY. I am in opposition to this bill. I was supposed to have an hour to speak. This is the only time, actually, I have.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Thank you.

I say to my colleague from Vermont, I will not take up all that time, but my colleague from Virginia asked to speak briefly. So I ask unanimous consent that he be allowed to speak for several minutes, and then I follow him.

Mr. DODD. Reserving the right to object, I would just like to have a few short minutes to speak on the bill, on the Ed-Flex bill.

Mr. WELLSTONE. These are good friends, but I know Senators' "short minutes." I also have to leave to meet with a lot of students from Minnesota. I ask unanimous consent that my colleague from Virginia be allowed to speak for a few short minutes and then my colleague from Connecticut, who asked to speak, be allowed to speak for a few "short minutes," after which I will be able to speak.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. I amend my unanimous consent request. I ask unanimous consent that Senator KENNEDY not be allowed to speak, as he can't speak for a few "short minutes."

Mr. KENNEDY. I object. (Laughter.)

The PRESIDING OFFICER. Without objection, it is so ordered, the unanimous consent request by the Senator from Minnesota is agreed to.

The Senator from Virginia is recognized.

Mr. ROBB. Thank you, Mr. President.

I thank my colleague from Minnesota for his courtesy.

Mr. President, I want to, first of all, say that I support the Ed-Flex bill, so I particularly appreciate my friend and colleague from Minnesota yielding just a couple minutes to me.

But like so many of our other colleagues today, I want to express my condolences to all of those in Littleton who have suffered such a tragic loss in such a traumatic event to the community. I think it was obvious last night when the President was asked after his statement if there was anything we could do to prevent tragic incidents like this from happening, he acknowledged that there aren't any easy answers. But we all know that recognizing the warning signs of stress and depression and substance abuse and violent behavior starts at home and extends well into our communities. Littleton, as other communities, is suffering in ways we can only imagine. My three daughters are now grown, but I cannot imagine the agony of waiting to find out what fate might have befallen them under similar circumstances.

I grieve with the families, as all others do. I note to my colleagues that I had introduced legislation in 1993 which I believed would make a contribution to the effort to reduce and

prevent school violence. I plan to reintroduce similar legislation sometime in the next week or two. I welcome the work of any colleagues who desire to help.

I appreciate the fact that in 1997 we were able to divert money from the Community Oriented Policing Services funds to fund school safety initiatives, and we were able to increase those funds by tenfold in 1998. We can do more, and I hope the legislation I plan to offer will advance that cause.

But for right now, I simply join with all of our colleagues here in the Senate in expressing to those families grieving in Littleton, CO, and all over the country, that we understand the agony through which they are hopefully passing at this moment, and we will do our best to work with them.

With that, I thank the Chair and particularly thank my colleague from Minnesota for yielding to me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I join with my colleague from Virginia and others who I know have spoken this morning in the Chamber about the tragic and unbelievable events in Littleton, CO. I can't help but observe that the Presiding Officer has more than just a passing familiarity with this kind of tragedy, in that in his own State we saw a similar situation. It has occurred in other States around the country as well.

Crime rates are coming down all across the Nation. So many positive things seem to be happening with new policing, community policing, efforts being made all across the board. That we still find what appears to be an increase in this kind of crime is confounding and sort of cries out for us to be thinking harder about how we can deal with these situations.

I, too, want to add my voice in expression of sorrow to the families in the community of Littleton, CO. We have to do more than just grieve and talk about our kids, their education, the day after these tragedies. That is certainly appropriate. But we must talk about them and try to come up with some answers the day before and the day before that so that we minimize these kinds of incredible circumstances from occurring.

If we are going to be responsive to the needs of our young people and the educational needs of Americans, then we have to invest our time and energy in healing whatever has gone so terribly wrong in the lives of these youth who allegedly were responsible for these events, even though we don't know in total what has occurred there, or we are going to be revisiting these kinds of stories all too frequently.

With that, Mr. President, I am pleased to stand in the Chamber today and add my voice of support to this conference report on the Ed-Flex bill. The concerns of children and education are not going to be entirely solved by

this legislation, but I think it is a positive step forward.

I am pleased to support the legislation, the education flexibility partnership bill, as it is called. I compliment Senators FRIST of Tennessee and WYDEN of Oregon who sponsored the legislation and have been involved as forceful advocates for it. I also thank the chairman of the committee, Senator JEFFORDS, and the ranking Democrat, Senator KENNEDY, who played a very important role in trying to strengthen the legislation and have worked hard to improve the bill in this bipartisan effort.

The conference report before us reauthorizes and expands the existing education flexibility demonstration program to all eligible States. We first enacted Ed-Flex in 1994 as part of the Goals 2000 legislation. Since that time, 12 States have been selected to participate. With the Ed-Flex authority, States can waive Federal statutory and regulatory requirements in several key elementary and secondary education programs where those requirements impede local efforts to improve schools. That was the idea, test this out.

Although few States have used this authority broadly and results are still being compiled, reports from the States suggest that this authority is making a difference. State officials report Ed-Flex has changed the climate of school reform in their States. It has led to far more innovation. Texas, which has been the only State to use this authority broadly—and I commend them for it—and to gather achievement data has shown impressive student achievement increases among all groups of students.

While each State is different, and certainly Texas would be the first to tell you how different they are, when it comes to education, particularly elementary and secondary education, the lessons learned in Texas, I think, could be very helpful to all of us regardless of which section of the country we are from.

Clearly there is potential in Ed-Flex, and I am hopeful that the expansion we are enacting today will lead to more and better innovations in our States to improve schools. I am very pleased that the final legislation before us today includes several provisions which I believe will lead the States to use this authority more and to use it appropriately to improve the performance of our schools.

I am particularly pleased that language Senator KENNEDY and I offered, improving the link between flexibility and accountability for student performance, is retained. Senator REED of Rhode Island's language on community and parental involvement in the process of applying for these waivers will, I believe, result in much stronger applications.

In addition, I believe the provisions protecting the targeting Federal dollars to the neediest students, offered by

our colleague from Minnesota, Senator WELLSTONE, who fought tirelessly on behalf of that provision to see to it that the neediest of our students would certainly be the principal beneficiaries of his program. He worked, I know, with Congressman GEORGE MILLER of California on this, who has a deep interest in this subject matter and is very knowledgeable about these issues as well. I commend them for their efforts. This will ensure that States and local communities continue to serve, as I said, the neediest of our population.

Finally, and most importantly, I am pleased that the conference committee preserved our commitment to lowering class size by removing the divisive language that pitted class size reduction against funding for special education. However, even with these changes, I believe the measure before us is a modest one—a good one but a modest one. I view it as a first step, if only a modest one, in the direction of stronger education policy.

I am very hopeful that we can now move onto bigger education issues. Not to belittle the importance some have placed on education flexibility, but I have never had one parent, one teacher, or one student raise this issue with me. But I have had many, many parents, students, and teachers concerned about class size. I have had school districts looking for reassurance that the full promise of 100,000 teachers will reach them. I have had many parents and teachers and students concerned about the overcrowding and the overall condition of schools in my State and across the country.

I have had numerous inquiries about the safety of children in school, and obviously the events in Littleton, CO, punctuate that concern, but it is one that all of us hear every day, regardless of what State we are from.

As well, Mr. President, parents and teachers and students raise concerns about how many children start school not ready to learn. Many students go home to empty houses without supervision or the enrichment of afterschool programs. That issue is raised by parents who have young children all the time. Lastly, they raise concerns that the needs in our schools outpace the Federal funding in this crucial area. We must move to these pressing issues as well.

Ed-Flex can make a difference in some States, but it cannot substitute for real education policy, broad policy. I look forward to building on the success of this bill and looking for the kinds of bipartisanship that created this legislation, and to assist in coming up with some answers that will make a difference on class size, school safety, afterschool programs, and condition of school buildings, which also must be a critical part—each one—of improving the quality of education and preparing this new generation of Americans to be the kind of leaders we all want them to be in the coming century. I thank my

colleague from Minnesota for allowing me to express my views.

I yield the floor.

Mr. WELLSTONE. Mr. President, I don't know that I have anything to add to what other Senators have said about the awfulness and terror of what happened in Colorado. I really don't know—as Senator DODD and Senator HUTCHINSON have said—what this means in personal terms. I simply say to Senators NIGHTHORSE CAMPBELL and ALLARD and the people of Colorado, as the Senator from Minnesota, I send my prayers, my love and support. I wish to God that it was within my ability to snap my fingers, or to be able to do something to have prevented this from ever happening. I wish I could understand how kids—children—could ever do this. I actually don't know the answer.

I certainly agree with colleagues who have talked about measures that try to make it as difficult as possible for kids to get ahold of guns. I do a lot of work in the mental health area. I know it can't do any harm—it can only do good—to see whether we can do better by way of working with kids at a young age, and maybe we can head off kids that are heading in this direction. When such a God-awful act of violence is committed, it is very difficult to understand why. It is very difficult to understand why. I suppose that anything and everything that can be better in a family, should be better in families and better in communities and better in churches and synagogues and mosques, and in legislation that would pass. But for today, I just want to, as a Senator from Minnesota, express my sorrow. I wish yesterday had never happened.

Mr. President, I find myself in the position of speaking against this conference report. My colleagues have talked about some things that happened in conference committee that they felt were positive, and I agree with them. I am going to divide my argument up into two parts. Part 1 is sort of to say, I think there is a distinction between flexibility, and I think—having been a community organizer for several decades, I think that the more people are able to make positive things happen at the local and community level, including the school district level, the better. So I think when it comes to the title I program, you really do want decisions about whether or not you put more of the money into teaching assistants, or into community outreach, or into other things—many of those decisions to be made at the local level.

I will tell you why I think this Ed-Flex bill legislation is a profound mistake—however well-intentioned those who are proposing it and who have fought for it are, like Senator WYDEN here on the floor; it is just an honest difference of opinion. If I am wrong, I will be glad to be wrong. My own feeling is that this piece of legislation will actually be a step backward. The reason I say that is that when we passed

the Elementary and Secondary Education Act back in 1965, a lot of sweat and tears went into that.

Part of the idea then and over the years—we are talking about a 30-year history here, 30 years plus—is that you wanted to have certain core requirements, certain core standards that had to be met. And in particular, we wanted to make sure that, as a national community, we made a commitment to poor children and that there were certain kinds of core standards that every school district in the land had to meet in this title I program.

So I introduced an amendment to the Ed-Flex bill in which I took the basic core requirements and I said, look, under no circumstances are we going to enable a State to allow a school district to be exempt from the following requirements. Let me just read these. This is incredible, what happened on the floor of the Senate. That is why I am going to be the only vote against it, though I wish others would vote against it. What were these core standards that would not be waivable? They are: Provide opportunities for all children to meet changing achievement levels—I will list a few. Provide instruction by highly qualified professional staff. Provide professional development for teachers and aides to enable all children in the school to meet the State student performance standards. Review on an ongoing basis the progress of participating children, and revise the program, if necessary, to provide more assistance to children, to enable them to meet the State student performance standards.

This amendment just said, when it comes to the basic core requirements and core protection of title I for all children in America, the heart and soul of what we did with title I, going back to 1965, we weren't going to waive these. No, we weren't, because we were going to make sure that these title I children—even if they are low-income children, we were going to make sure they were going to get good instruction and make sure that every title I program in every school district at least lived up to these standards. Now we have a piece of legislation, with all due respect to all of my colleagues, that allows a State to allow its school district to exempt itself from these requirements.

I introduced this amendment which would have straightened out this legislation. It was basically a party vote; it was a straight party vote, really. I am sorry I didn't get more support from Republicans. I am really sorry more Democrats aren't voting against this bill. That is just my own honestly held view.

Here is what is so troubling about this. I will try not to be technical. What would have been the harm in keeping these core requirements? Surely, I can tell you the school districts in Minnesota would say, fine, keep that core requirement because this is what we want to do and this is what we do.

Why would this core requirement be considered overly bureaucratic or cumbersome or regulatory for any school district in America? The idea that you have highly qualified instruction and you hold children to high standards and you do everything you can to make sure children meet these standards, why would any school district want to be exempt from the core requirements of the title I program? My argument would be that they would not. This would not be a problem—unless you have the potential for abuse. And you do. That is what is going to happen. We have moved away from a kind of value which says that we, as a Nation, have certain kinds of core commitments and beliefs, and one of them is that we are going to make sure there is protection and some commitment to poor children in America when it comes to education.

This piece of legislation called Ed-Flex does away with that basic commitment. That is why I will vote against this. That is why I will be proud to be one to vote against this.

Mr. President, my second point is a little different. I am going to say this with not bitterness but with some anger. I just want people in the country to know as I get a chance to speak before the Senate, every time I get a chance to speak, I think I am really lucky. I am one of 100 people who gets a chance to speak on the floor of the U.S. Senate. I get to say what I believe is right. I try to marshal evidence from my point of view.

I want people in our country to know that not only is this piece of legislation, I think, not a step forward but a great leap backward; it also is a great leap sideways.

When I am in schools and I meet with students and I meet with parents—I have been in a school about every 2 weeks for the last 8 years since I was elected to the Senate. I have been in inner-city schools. I have been in rural schools. I have been in suburban schools. I don't meet parents and children or students who talk to me about Ed-Flex. They do not even know what it is. They don't even know what it is. They talk about, "Senator, this school is crumbling. This school is not an inviting place for us to be. Can't there be some Federal dollars that will enable us to rebuild our crumbling schools?" Or, "Senator, you had better believe that with smaller classes teachers could spend more time with us. And the best teachers are teachers who spend time with us."

Where is the commitment to smaller classes?

Or, "Senator, you want to know the best single thing you could do. You could make sure that somehow we would address this learning gap," where so many kids come to school already way behind having never really had the opportunity to have been read to widely, to have really received that kind of intellectual stimulation with the absence of affordable child care, or

so little of it is available and they come to school behind. Then they fall further behind. Then they drop out. And then they wind up in prison.

Again, I hope I am right about this. I am trying to oversimplify it. But I believe—I read it, I think, in the New York Times, or somewhere—that in the State of California, I think between the ages of 18 to 26, there are five times as many African American young men in prison than in college. That is stunning.

Let's not hype this legislation. Let's not pretend like we have done something great which will lead to the dramatic or positive improvement in the lives of children.

There is not one cent more for title I. Let me just tell you. In my State of Minnesota, we have schools there where 65 percent of the kids are low income, free or reduced lunch program participants. And they don't get any title I money. They have run out of the money.

All over the country there are schools with a huge percentage of kids who could use the additional reading instruction, who could use the additional encouragement.

The title I program does great things. There is a lot of good work being done.

I assume my other colleagues did this. I met with title I teachers and title I parents. I met with kids around the State of Minnesota. There is a lot of good work being done.

Does Ed-Flex add \$1 to a program that is severely underfunded? No. Do you want to know what is worse? We are not going to, not with this budget that we have.

Let's be clear about this. This program, according to Rand Corporation, is funded at about the 50-percent level. I think the Congressional Research Service said it is at about the 33-percent level.

Given the budget resolution that we have and 10 years of tax cuts, we will see who gets the major benefit. And with the money put aside for Social Security and reducing the debt, do you think there is going to be any money that is going to go into increased funds for title I? No. Does this piece of legislation do anything by way of making child care more affordable? No. Does it do anything about the Head Start program? No. The Head Start Program has served—I can't even remember now. I had the figure. I spoke to a national gathering in Minnesota, a great group of people. I think the Head Start Program has served maybe 17 million children since 1965.

Do you know that the Head Start Program, the goal of which is to give a head start to kids who come from impoverished backgrounds, isn't even funded at a 50-percent level? Do you know that with Early Head Start, Mr. President, which is ages under 3, 3 and under, the most important years for development, do you know how many of the 3 million children who are eligible for some Head Start help so they

get a head start and do better, do you know how much funding we have for them? One percent.

I would love it if somebody would come out here on the floor of the Senate—I would actually give up the rest of my time—and say, “You are wrong, PAUL. Given the budget resolution that we passed, we are going to be committing more money to Early Head Start. We are going to be committing huge amounts of money to making sure there is good child care for children before kindergarten.”

We are not going to do it at all. In fact, with this budget, we will probably end up cutting it before it is all over.

Mr. President, here is where we can be a player. We can have Ed-Flex. I think it is a big step backward. I have explained why. I don't know why colleagues are not willing to make this standard. We shouldn't allow a State to allow a school district to waive it.

There is a real danger here. We are taking away some protection for poor children. We are doing that. That is not a step forward.

Frankly, if we want to be a player, when you talk to your people back in your States, especially when you are talking to the people who are involved in public education, they say you can be a player in prekindergarten. You, the Federal Government, could, out of your huge Government budget, be allocating some resources back to our communities for affordable child care, to fully fund Head Start. You could make a huge difference so that children come to kindergarten ready to learn and do better. We are not going to do it. We are going to pass something called Ed-Flex and pretend like this is some great step forward.

This applies perhaps more to my colleagues on the other side of the aisle than my colleague from Oregon, who is constantly committed to more funding. He has a strong commitment to more funding for these programs.

I want to be real clear about what we are doing and not doing today. I don't want us to get away with a piece of legislation that we pass that is heralded as some great step forward when we don't really do what we should be doing.

Mr. President, we talk about law enforcement. Talk to the community people, and they tell you everywhere that there are too many kids who come from families where both parents are working, or where a single parent is working. There are no after-school programs with positive things for them to do. There are not the community programs, the community-based programs. I hear it everywhere.

In this budget, which is going to lead to these appropriations bills, are we going to make any kind of major investment of resources so we are going to have some of these afterschool programs, some of this afterschool care for kids for children? No. Are there first and second and third graders who go home and there is no one there after

school, sometimes in very dangerous neighborhoods? Yes, there are. I have met with them. Are there kids who go home and don't play outside even when it is a beautiful day because their parents tell them, “Go home, lock the door, don't take any phone calls?” Yes. Are we doing anything in the Senate about making any kind of investment of resources? Is the majority party doing that? No.

There was a woman named Fannie Lou Hamer. I wished I could have met her. She was a great civil rights activist from Mississippi. Fannie Lou Hamer said once, “I am so sick and tired of being sick and tired.” I am sick and tired of photo opportunity politics. I am sick and tired of the breed of political person who wants to have their picture taken next to children, and how we all say we are for education. We all say we are for children. I look at the White House budget. They are pathetic. I look at our budget; the majority party's is even worse. I, frankly, see very little commitment to making sure that we have equal opportunity for every child in America.

This Ed-Flex bill doesn't do one thing to provide equal opportunity for every child in America. Worse, and let me repeat it, we could have had all the flexibility in the world, but for some reason when it came to the basic core protections and core requirements of the title I program—making sure there are highly qualified instructional staff, making sure kids are held to high standards, making sure we help the kids who are falling behind—my colleagues on the other side of the aisle didn't want to have this basic core requirement. Without that core requirement, we don't have that core protection.

I will finish my remarks in both a positive way and in a not-so-positive way. I want to again say to the title I teachers and the title I education people in Minnesota—I spent more time with them—I deeply appreciate the work being done and I do not want a misinterpretation of my vote against this bill as not being in support of your work.

Let me read some wonderful testimonials from students, parents and teachers at the Garfield Elementary School in Brainerd, MN.

I love reading really much. When I grow up I'm gonna be a teacher. When I'm a teacher, I'm gonna read a lot of books to my children. When in college, I'm gonna read tons of books and books. Right now I'm in second grade.

This class has helped me with reading and writing. I like this class because it's fun and I'm 10 going on 11.

Some of the spelling is not perfect but the sentiment is wonderful.

Reading and writing help you get a job. Make that a good job. My favorite thing that we've done is when we're drawing a picture and characters from our book. I like the 5 minute word tests. My highest score was 28 and I'm smart.

I love it when children believe they are something. That is good. That is the way it should be.

Here is a statement from an educational assistant at Garfield School:

To whom it may concern: Every fall at the start of the new school year I get my list of title I children that need a little extra help in the classroom. I know I can help them. Every spring when the school year ends, I know I have helped these children. I know title I works when the light bulb goes on after that child gets that math problem we have been working on. I know that title I works when that child is reading and understands what he reads. They can write a story that makes sense.

Please keep the money for title I just for title I. Title I money pays for my job, but it is also something very dear to my heart. When I see a child get it, I know it works.

Mr. President, all over the United States of America there are schools with 30, 40, 50, 60, 70 percent low-income children that don't get any title I money because we have so severely underfunded this program. This legislation does not increase one dime, and we are not going to increase one dime for title I—not given this budget that we have.

In addition, when it comes to how we as a nation can renew and live up to our vow that there will be equal opportunity for every child in America, it is not here in this legislation. It is not here to make sure that the children come to kindergarten ready to learn. It is not here to rebuild crumbling schools. It is not here for smaller class sizes. It is not here to make sure we have better teachers. It is not here to make sure that we do better on after school programs. It is not here to make sure there is affordable housing. It is not here for child nutrition programs. It is not here at all. And I want to say on the floor of the Senate, I don't believe it will be here in this Senate. I don't think the majority party will move on this agenda. Sometimes I worry a little bit about my party, as well.

I will be the only vote against this legislation. If I am wrong, I am sure my colleagues—Senator WYDEN and Senator JEFFORDS, both good Senators, real good Senators—will tell me a few years from now, You were mistaken. By not keeping that language in on the core requirement—that is what I am focused on. We didn't create any loophole. We didn't take a step backwards. This legislation didn't fail poor children.

If they can tell me I'm wrong, I will be glad to be wrong. Today I shall vote no. Today I shall wonder why more colleagues aren't voting no. Today I sound the alarm that I believe this piece of legislation is profoundly mistaken.

That is my honest view. I am sorry to be so critical of my colleagues' proposal because I respect their work, but I cannot support this legislation.

How much time do I have remaining?

THE PRESIDING OFFICER. The Senator has 28 minutes 45 seconds remaining.

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Emilia



Beskind be allowed floor privileges during the duration of the debate.

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

Mr. WELLSTONE. Mr. President, I reserve the balance of my time.

Mr. WYDEN. Mr. President, I ask the Senator from Minnesota for 10 minutes to address some of the important issues the Senator raised.

Mr. WELLSTONE. I am pleased to yield 10 minutes to my colleague.

I have to meet with students from Minnesota. I will try to get a chance to respond, but I may have to respond at a later point.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 10 minutes.

Mr. WYDEN. Mr. President, I thank the Senator from Minnesota.

I think he has raised a number of important issues and several that I agree with. During my 3 years in the Senate, I have consistently stated, along with the Senator from Minnesota, that we must do more. It is a moral imperative that we do more in terms of the Head Start Program, child care programs, and the variety of domestic needs that the Senator from Minnesota is talking about. To build support in America for additional funding for those programs, we ought to go to taxpayers and show them that with programs such as Ed-Flex we are squeezing more value out of the existing \$12 billion that we are spending.

There is no quarrel between the Senator from Minnesota and I about the need for additional funding for these programs. It is absolutely essential. We also happen to agree about eliminating some of the tax boondoggles and get the money. But, if we are going to get support from the American people for additional funding, it seems to me we ought to pass the bipartisan Ed-Flex bill and show that we are squeezing existing value out of the current spending, get dollars out of bureaucracy and get them into the classroom.

The one point I would differ with my friend from Minnesota on, and I am happy to discuss this with him, is that in the weeks and weeks that we have been debating on the floor of the Senate, there has not been one example given of how much this program has been abused in the past. This program is operating in 12 States in the country in countless communities, and we are told now we are taking a step backwards with respect to this program though there has not been one example put before the Senate of how this program is being abused.

We have plenty of examples of how it works. The fact is, there is one very close to this Capitol Building. Just a few miles from here in Howard County, for example, they have reduced class size by one half. They did not do that by spending extra dollars. You already heard the Senator from Minnesota and I agree on that point. We ought to spend additional funds to reduce class size. But a few miles from here they

have reduced class size with existing funds.

So we have examples of how this program works. Yet we are told this is a big step backwards while there has not been one example, not one, of how this program has been abused though it has been in place since 1994 in 12 States. It does not change any of the core requirements of title I—civil rights laws, labor laws, safety laws; all the things that are important for vulnerable children, that the Senator from Minnesota and I agree on, are kept in place. What this is going to do, as it did in my home State of Oregon, is make it possible for poor kids, who could not get advanced computing because of Federal redtape, to use Ed-Flex so they can get those skills and get the high-wage, high-skilled jobs the Senator from Minnesota and I want to see poor kids get.

I am very hopeful we will see overwhelming support today for this legislation. I think by showing you can use existing dollars more effectively, this is going to lay the groundwork for the objective the Senator from Minnesota and I would like to see, which is additional support for Head Start, child care programs, domestic programs.

I look forward, after we pass Ed-Flex and after it works, not talking about who is wrong between the Senator from Minnesota and I, but talking about how we can join together and get additional support for Head Start, child care programs, and these domestic needs, because we can go to the American taxpayer and show that, with Ed-Flex, we use existing dollars in a more efficient way so we build more credibility with them for domestic services.

I look forward to working with my colleague towards those ends. I thank him for giving me the time. He feels strongly about it. I do as well.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I appreciate the comments of my colleague from Oregon. I just wanted for the record on this debate on examples—before, my colleague, Senator KENNEDY, was speaking about past abuses, abuses of title I money. As to what has happened with those States, part of the Ed-Flex States, he was talking just about the abuse of title I money in the past, not talking about abuse of Ed-Flex States.

What we are talking about now is, we do not know. When we look at what GAO has said, the results are inconclusive one way or the other, and for that reason we should have waited and done this during the Elementary and Secondary Education Act reauthorization. I will quote from the GAO report:

While some States have put in specific goals (such as improving student achievement in math and science) and established clear and measurable objectives for evaluating the impact of waivers (such as improving average test scores by a certain number of points) many Ed-Flex states have not established any goals or have defined only vague objectives.

That is only one example. I can go on. This is a rather longer quote in this report as well.

Actually I think Senator WYDEN is probably the wrong Senator for me to be having this debate with. The point is, No. 1, GAO expresses some concern about what could happen. The results are not conclusive one way or the other. But more important, why not—you voted for the amendment. I would have voted for this bill if we had just erred on the side of these children. Why not keep in that core provision? If we do not have to worry about States abusing this, if we do not have to worry about States not having this commitment to children, then surely this language which talked about making sure they are good teachers, making sure kids are held to high standards, making sure if they are not, we are going to give them the instruction they need—why would any school district want to waive that? Why would we not have kept that?

I would be willing to say that Arkansas and Minnesota and Oregon and Vermont and the State of Washington school districts would say, "Keep it in, that is what we are about." Why was it taken out? And why, when I introduced this amendment—this goes to the heart, the core, of the standards of the protection—was this taken out? That is the problem.

When we had the vote on this language, you voted for it, Senator WYDEN. I am sure Senator LINCOLN voted for it and Senator MURRAY voted for it. I don't know what Senator JEFFORDS did. But that is my point.

So, in all due respect, it is not true that we do not have evidence of some problems. We have plenty from the past. As to the Ed-Flex States, I just read from the GAO report. And then I had an amendment. I say to my colleague over there, Senator JEFFORDS from Vermont, that would have kept in the basic core protection. I do not think it would have been a problem for Vermont or any other State. It should not have been taken out, because just by chance, Senator WYDEN, just by chance, what if someplace, somewhere in the country, some of these kids fell between the cracks? Their parents did not have the most clout and there was some investment of title I money in areas where it did not really make a difference in these kids' lives. It should not have happened. We would not have the protection. Why would we not want to err on the side of these children? Why would we not want to err on the side of core requirements? That is my point.

I reserve the remainder of my time and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. Mr. President, I ask unanimous consent that 20 minutes be added to the time, divided equally, 10 minutes a side, between Senator KENNEDY and myself.

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

Mr. JEFFORDS. Mr. President, on that time, no one could talk about education today without thinking of the tragedy yesterday in Colorado. As Members have expressed their sorrow over yesterday's events and the five earlier school tragedies, the same question comes to everyone's lips: What can we do to prevent this from happening again?

The contribution of the Federal Government towards State schools has been defined in the Safe and Drug-Free Schools Act. It has always been my intention, as a part of the hearings being held by the Health and Education Committee toward reauthorizing the Elementary and Secondary Education Act, that I would hold hearings especially examining the Safe and Drug-Free Schools Act.

So, to those who have asked me today what is the Federal Government doing, or what can we do, I want to inform my colleagues that the Health and Education Committee will have hearings addressing the problem of drugs and violence in schools and I will hold the first hearing early next month.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield myself 15 minutes from the Democratic side.

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

Mrs. MURRAY. Mr. President, today we have an opportunity to discuss passage of the first education legislation of the 106th Congress. My sincere hope is that this is only the first step in bipartisan agreement about the path we are traveling toward improving America's schools.

The Education Flexibility Partnership Act itself is not an earth-shaking proposal. Essentially, for a set of provisions under a list of Federal programs, school districts will be able to get waivers from their States instead of having to ask Secretary Riley. Since Secretary Riley grants these waivers fairly routinely, some might ask why we need this bill. There has been so much talk about the great things this bill contains that I just want to clarify what we are talking about.

Within the bill, we are not reducing paperwork or bureaucracy or cost or time spent away from the classroom. You will hear from some of my colleagues that this bill does all those things and probably many other claims. To some people, Ed-Flex has become the great tonic that will fix all the ailments of our schools.

I want you to notice something that Senator FRIST has mentioned that I agree with. Ed-Flex is not a silver bullet or a panacea. It will not solve all the challenges our schools face.

The important part of the message that does not always get through is that no effort in the Congress or in

your local school is that silver bullet or that panacea. The problems that affect today's schools, as we saw yesterday in Colorado, are never easy to solve. They are always more complex than a sound bite. Always.

Each part of the American school community, from classroom to committee room, must do its part. Every student, every family, every educator, every community leader, every local school board, every State government, and every national policymaker—all of us must do what we can.

The language of the Ed-Flex bill does not really provide any direct relief to any of these problems. All it really does is say that in addition to asking Secretary Riley for a waiver from a provision of a Federal program, you can now ask your State officials.

So why would someone like me, someone who is a parent, a preschool teacher, a former school board member, why would I come to the Senate Chamber and proclaim that we should pass the Ed-Flex bill? Because it can help change thinking, and that is a vital and important goal.

Education flexibility is an important idea and concept. If, by passing this expansion of the education flexibility program, we can change the thinking in just one community about what steps they can take to improve their local public school, then that is a major victory.

Too many local decisions, things that would directly improve the learning of hundreds of children, are stopped before they get started. The message this Congress needs to say to local communities is, if you have a proven, effective way to improve learning for your students and you have your community behind you and you are willing to be held accountable for the results, we should be doing everything we can to get the obstacles out of your way.

Sometimes the obstacle is a Federal law or regulation. Sometimes the obstacle is a State law or a State regulation. Sometimes the obstacle is a local school board policy that needs to be changed. Sometimes the obstacle is the bus schedule or the school lunch schedule or the sports schedule. Sometimes, believe it or not, the obstacle to improvement does not have anything to do with education law or with government at all.

Whatever the obstacles are, we all have a responsibility to do what is best for the students by holding the school accountable and helping them get the obstacles out of the way.

My belief is that we should all be thanking Senator WYDEN and Senator FRIST, Senator KENNEDY and Senator JEFFORDS for giving us an opportunity with this bill to help change thinking across this Nation, to remind communities that they have more power than they know to make improvements in their schools, and to say in a meaningful way that their Federal Government is their partner in making their best schools better or in helping their struggling schools to thrive.

There are plenty of great schools and plenty of great thinking out there right now without any further action on our part. But this bill will encourage the discussion that is happening at every local school about how to improve student learning and how to get even our best schools performing at higher levels. Great thinking alone will not do it.

That brings me back to my statement that although the Ed-Flex bill is the first education bill in this Congress, it cannot be the last, because what local school communities need more than flexibility are the resources and support to do something positive with it.

The Ed-Flex bill alone will not give your students more individual attention in the classroom. The Ed-Flex bill alone will not stop up a leak in your school's roof, unless it is a very small one. The Ed-Flex bill alone will not improve teacher training or any number of other important issues that real people across this Nation have to deal with every day, which is why it is important for me and many of my colleagues to start the larger debate about education with this bill.

We know we will not have many opportunities this year. This Congress must continue to address the very real needs of school communities. The public school is a powerful engine for social improvement and equity of opportunity. Millions of Americans have created lives that were measurably better in all ways than that of their parents because of something they learned in a public school.

As communities continue to update and improve and redesign their own public schools to meet the changing needs of our economy and society, they will need a very real, measurable investment from the other members of this great community we call our Nation.

We must continue our important national investment in reducing class size by helping communities to hire 100,000 well-trained, high-quality teachers. We must do everything we can to improve the professional development and ongoing education of our teachers to make sure they are ready for each challenge they face with each student each day they enter the classroom.

We must use every tax bill this year as a vehicle to help school communities modernize their school buildings and technology capabilities.

None of these, nor the many other important investments we should make, should be seen as a silver bullet or a panacea. But when you give local communities the freedom from regulation that we continue by expanding the education flexibility program today, and then combine that flexibility with the very real investment in the communities' ability to hire good people, to improve school buildings, to pay for improvements to the teaching process, and to choose the very best educational tools possible, then you are doing

something really big, then we are talking about a major investment in our Nation's future which will pay off for us in many ways—reduced crime, more economic opportunity for people, the improved well-being of our neediest citizens, better citizenship, stronger communities with an improved quality of life for all of us.

That is why I and my colleagues have come to the debate on the Ed-Flex bill and also talked about the other important national investments we must make and continue to make in our schools.

In the process, there have arisen some threats to that overall, more important national effort. There was an amendment to this bill that would have undone the very important, vital, bipartisan agreement we all came to last year in helping communities reduce class size. If that amendment had prevailed, we would have seen communities—communities that are now struggling to put together their budgets for next year—we would have seen them forced to make some very ugly choices in school board meetings that already have enough disagreement and contention.

The good news is, that amendment which would have forced school districts to pit special education and regular education students against each other has been dropped. In its place, we have bipartisan language which will allow more flexibility to the very small school districts who have already reduced class size. That is progress.

This year, we can have the opportunity to debate class size reduction and many other efforts to improve communities' abilities to improve their schools. My hope is that we take that opportunity. My hope is that we have a full discussion and make some compromises and get to further progress.

Passing the Ed-Flex bill is a good first step. Continuing with our effort to leverage class size reduction across the Nation will be a good next step because school boards are making those decisions now. Moving forward on school construction this year will be another good move.

Increasing funding for special education by at least \$500 million will be another step towards progress. Improving the resources communities have to improve teacher training will be progress. We should reauthorize the elementary and secondary school bill this year, just as we are scheduled to do.

We must continue talking and working. It is what the American people expect of us. It is our responsibility.

We must increase flexibility and resources at the same time. People want their schools to have the freedom to act and the funds to pay for it. Most people are, frankly, shocked by the fact that less than 2 percent of our overall national spending goes to education. We must make that a higher priority. We have started our work. Now let's continue and do our part in the great

partnership we call America's public schools.

Thank you, Mr. President.

I reserve the remainder of our time.

The PRESIDING OFFICER. Who yields time?

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I yield 5 minutes to the Senator from Arkansas.

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

Mrs. LINCOLN. Thank you, Mr. President. And I thank my colleague for yielding.

It certainly is ironic that we should be scheduled to vote on education legislation today in the wake of last night's tragedy in Colorado. All of the Nation is wondering how we can help our children.

Since a school shooting a year ago in my home State of Arkansas, I have been grappling with ideas to ensure that this type of tragedy never happens again. Unfortunately, it did happen again yesterday when the peacefulness of a Denver, CO, suburb was shattered by the sounds of explosions and gunfire.

The first line of defense against the terrible television images that we have seen over and over during the last 24 hours, and all too often during the last year, is guidance and love in the home. Parents must take responsibility for their children. And we, as a society, must do all that we can to provide the support our children need.

Our children are truly our greatest national resource. We must make their education a national priority. In order to do this, our teachers need help, too.

Each year our Nation's educators are asked to wear more than one hat, to take on more roles—all the while teaching our most precious resource. They make sacrifices every day, and quite literally in some instances have put their lives on the line for the safety of our children.

I do not claim to have all of the answers, but I do think we should provide more assistance to our teachers in identifying troubled children and giving them skills to deal with these students. One of the single common denominators I get from school principals in K through 3 elementary grades is that they must have more resources in their schools, more medical professionals to deal with the severity of problems that our young children are coming to school with today.

We have to give the teachers and the administrators the support and trust necessary to guide our children when we cannot be there. And finally, we must put more counselors and qualified medical health professionals in our schools as resources for teachers and administrators.

Yes, we can install more metal detectors and surveillance cameras in schools, but we will not get to the root of the problem. The youth of America

are suffering, and all of the increased security in the world may ease our minds but it will not ease their pain.

I plan to work with the Senate Education Committee on school counseling and mental health legislation so that we can take proactive, commonsense steps toward seeing that tragedies such as those in Colorado and Jonesboro, AR, become only a distant, painful memory.

But we are here today to move forward in the field of education. I am proud to be an original cosponsor of the Ed-Flex bill. I am pleased that both sides could reach an agreement in conference so we can proceed to final passage of S. 280.

Although this process has taken longer than most of us wanted, there is a silver lining in this cloud. The Ed-Flex bill has given the Senate the opportunity to talk seriously and comprehensively about education—one of the most important issues facing our country.

It is absolutely essential that we continue that debate in the Senate. I have a county in southwest Arkansas where our superintendent made it an obligation to his school district that within 3 years he would minimize the size of K through 3 grades to well below 18 students per teacher. This school year they achieved that goal and have seen remarkable differences in their students.

Once the Ed-Flex bill passes, and States have greater flexibility with Federal funds, we hope to see so much more of that. We still have lots of work to do to ensure that our children get a good education and the best possible start in life.

Why? Because education is a national investment, with the highest possible return for which we could ask. The knowledge and training that we provide our children are the tools that they will carry with them for the rest of their lives. When we give them these tools, we have successfully invested in the success of our workforce and the future of our country.

How do we accomplish this? First, let's talk about school construction and renovation.

As a product of Arkansas's public schools, I know they are not just buildings where students and teachers spend their time; they are the cornerstones of our communities. And when a community works together to improve its schools, everyone benefits.

We have to physically fix our schools that are crumbling. What kind of a message does it send to our children when we send them to a school that has been allowed to literally fall apart? We have to devote the resources necessary to improving these situations.

School buildings also need to be adapted and equipped for computers that are wired to the Internet. All of our Nation's children should be able to take advantage of technology and a ride on the information superhighway.

In Arkansas, a recent survey of school facilities conducted by the Arkansas Department of Education reports that facility maintenance is one of the largest expenses for schools. The need for maintenance is often forgotten or overlooked, but in fact, the cost of roof repair or replacement is one of the largest expenses that schools incur.

The study also indicates that 364 buildings are occupied beyond their capacity. Some areas of the state are struggling to provide adequate facilities to accommodate the student population growth. No one wants our children to study in make-shift classrooms. Portable buildings and mobile trailers don't serve children or teachers well.

As a Senator who represents a predominantly rural state, let me point out that we can't ignore our rural schools when we talk about school construction and renovation. I raised the needs of rural schools last week on the Senate floor and will continue to do so as long as the education debate continues. I look forward to working with Senator KENNEDY on the needs of rural schools as well as other Senators on both sides of the aisle who share my concern.

In addition to building new schools and renovating older ones, we must reduce class size by hiring new teachers. Studies show that children learn better in smaller classrooms and teachers are able to do a better job teaching children when they can devote more time to fewer children.

I have spent a lot of time talking with teachers in Arkansas. They are desperate for Federal assistance to help them reduce class size because a crisis is looming. Only 15 percent of the teachers in Arkansas are under the age of 40.

This summer, Arkansas will receive \$11.6 million as its first installment of funds to hire teachers to reduce class size in early grades. Clearly, State educators are excited about this new pool of funding to hire more teachers, but they are quick to point out that they need commitments from Congress for additional funding to maintain the new teachers in years 2 through 7. They simply don't have the funds to pay for these new teachers in years 2 through 7. What an important field. But we also must encourage young adults to go into education.

Schools are now in the process of making hiring decisions for the fall. Let's make a commitment to this funding soon so school boards and principals can hire new teachers and promise them jobs for more than just one year.

I believe that as Senators, we can come together and do the right thing by our Nation's children, parents and educators. Let's take steps to end violence, reduce class size and rebuild our schools so America's children can thrive. Let us, in the Senate, not end our discussion on education—our greatest national investment with this Ed-

Flex bill, but let us continue this discussion and truly make our children's education a national priority.

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

Mrs. LINCOLN. I appreciate and certainly add my support to the Ed-Flex bill. I encourage the rest of the Members of this body to continue this debate on education throughout the next 2 years of this Congress.

I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. Mr. President, I yield 5 minutes to the Senator from Arkansas.

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

Mr. HUTCHINSON. Thank you, Mr. President. And I thank the chairman for yielding.

I am glad to join my colleague from Arkansas in supporting the Ed-Flex bill, also in joining all of my colleagues in our expressions of grief for the families who are suffering such a loss in Colorado today. I have been struck, as I have listened to my colleagues on the Senate floor. Time and time again words fail me to express the grief, the sorrow, that we all feel and really the lack of answers that we have.

As I presided a few moments ago, Mr. President, and listened to Senator WELLSTONE, he made the statement that if he could snap his fingers and somehow make yesterday not happen, he would do that. I think all of us feel that way.

I would add that if we could somehow pass a law today, if we knew the silver bullet, if we knew what it is that we could pass legislatively from Washington, DC, and put it in statutes, and that it would prevent these kinds of tragedies from occurring, I think we would have a 100-0 vote this evening in the Senate.

Unfortunately, the solutions are not so simple. The answers are not so obvious. Perhaps it goes to the cheapening of life in our society. Perhaps it goes to the culture of violence that permeates so much of the popular media today. I do not know all the answers, and perhaps today isn't the day to even talk about what the answers are or whether we can do something from Washington, but certainly there is agreement that it is a deep and shocking problem in our society. What is it in America that allows this to happen?

I will join my colleagues in seeking to find answers and trying to make this the kind of society where these tragedies are fewer and fewer.

I am glad to rise in support of the Ed-Flex bill. Certainly this is a step in the right direction in education reform in our country.

The Ed-Flex program is about cutting the unnecessary strings attached to Federal education funds. It does not cede accountability. In fact, the States must use the funds for the purpose intended; the money must remain tar-

geted to the population it is designated to serve.

This bill, though, is recognition that when limited Federal funding is spread so thinly over such a wide area, the result is ineffective programs that fail to provide students with the basic skills they need to succeed.

If we are to expect schools to increase their performance and provide a better education for our children, then we must allow them to coordinate school reform plans and to implement plans that coordinate program funds. We do not need to compartmentalize education, and this bill makes that coordination between programs easier.

In States such as Arkansas, where there are many small school districts, rural school districts that receive only small grants through various Federal programs, flexibility is the key. We must allow local school districts to decide how to spend Federal dollars in the way that will work for them, not the way that Washington tells them to do it.

That is why, in addition to supporting this bill, I have introduced the Dollars to the Classroom Act, which also gives more flexibility to local school districts. It would eliminate the bureaucracy and allow schools to continue the reform efforts that they have already started to implement.

Why do we think that Washington bureaucrats, who are over 1,100 miles from Arkansas school districts, can decide how to improve our children's education better than the parents, the teachers, the principals who live there?

We must give schools the tools that are necessary to let them address the needs they are facing.

It is time to stop the one-size-fits-all approach to education, and allow those at the State and local level to decide what is best for their children. The problems facing Arkansas schools are not necessarily the same as those facing schools in other parts of the Nation. Ed-Flex allows States and local school districts to address these problems without restrictions that can inhibit school reform.

If Congress expects improvement in our Nation's schools, then we must not add any additional regulatory burdens that only create more paperwork for our teachers and principals. If we really want teachers to spend more time with their students, then we must cut the red tape that occupies so much of their time.

In his testimony before the Senate Health and Education Committee on February 23, as we well remember, Michigan Governor John Engler stated:

Many governors feel so strongly that the bureaucracy is the problem that we cannot imagine being unable to improve education with greater funding flexibility.

In fact, he and the 49 other Governors support this legislation, along with the President and, most importantly, the teachers, the principals, the school boards and the administrators of this country.

The U.S. Department of Education's 1998 report to Congress on waivers states:

Waiver authorities can be useful tools for promoting improved student achievement and for promoting flexibility to support local efforts to improve teaching and learning for students.

Finally, I am disappointed that the Lott amendment regarding IDEA was removed during conference.

The main objective of the Ed-Flex legislation is to give schools more flexibility. Allowing school districts more options in how to spend their federal dollars can only benefit those districts by giving them control at the local level.

After talking with an administrator for the Class Size Reduction program in Arkansas, there are still several school districts who will choose not to participate in this program because of excessive regulations. Many of the small- to medium-sized school districts in Arkansas who have not yet reduced class size to 18 students per class will choose not to go through the burdensome steps to form a consortia with several other school districts for the hiring of only one teacher that they must then share.

While this is an issue that we must continue to resolve, I am proud to have supported this legislation, and I hope that the education debate that we have had in Congress will not end with the passage of this piece of legislation. A significant amount of work remains in improving our schools, and I look forward to further consideration of this issue.

That is what this bill is about. That is why it has such broad support. Though we need to go much further, this is an important first step in providing greater local flexibility.

Mr. President, I yield the floor.

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

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I will just take a moment and then I am prepared to yield back my time. I guess the Senator from Minnesota still wants to address the Senate. I yield myself a moment.

In my absence, our chairman has indicated that we will move forward and have some hearings about violence in schools for our Committee on Education and Human Resources. I commend him for being willing to undertake that. I think that could be enormously important.

I do not think at the outset we are expecting the magical solution, but I do think that we probably will get some very constructive ideas.

I can remember it wasn't long ago that several Members of the Senate got together with the Attorney General and some of the parents from schools that had seen this kind of violence in the recent past. The parents had a number of ideas and recommendations

and suggestions. I think doing this in the formal setting of a committee hearing so that we will have the record and have it kept and make it available to our colleagues perhaps will be one of the most important things that we undertake in our committee—and we have many important things to undertake.

I thank the chairman of the committee for his willingness on that and indicate that we are all looking forward to cooperating and working very closely with the Chair in every way that we possibly can to hold meaningful hearings and perhaps to help not just the families, but to help our country come to grips with at least the role of the school in this whole process of young people's development and what we might be able to suggest that might be a constructive and useful idea.

We will not have all the answers, but maybe we will have some. I think with that kind of commitment today, many of us feel at least the Senate is attempting to deal with this in an important way.

I thank the Chair.

Mr. JEFFORDS. Mr. President, I thank the Senator for his thoughts.

Mr. BROWNBACK. Mr. President, I rise today to once again voice my support for the Education Flexibility Partnership Act or Ed-Flex. With the passage of this important legislation, we are taking an important first step towards reducing the intrusive regulations and bureaucratic red tape the federal government imposes on local schools in Kansas and around the nation.

First, I would like to note that Ed-Flex legislation did not make it to this point without the combined efforts of a great many talented people. I would like to commend and thank my colleagues Senators JEFFORDS and FRIST for their dedication to this legislation. I would also like to thank our colleagues in the House and all of the staff that have dedicated their time and ability to increasing flexibility for school districts.

Mr. President, Ed-Flex is a truly significant piece of legislation. For too long, the Federal Government, through the Department of Education, has prevented local schools and school districts from creating and implementing original programs custom designed to help their students learn. Ed-Flex provides local schools a chance to waive Federal regulations and statutes which prevent them from implementing these innovative programs. We are sending an important message to teachers, parents and local school boards that we recognize that they know best how to educate their students.

My home State of Kansas is one of the 12 States already covered under Ed-Flex, and which have benefited from the waivers. Schools from across Kansas have submitted 43 waiver requests, none of which have yet been rejected. To hear from the folks back home with whom I visited, students are much bet-

ter served by flexibility than they are by rigid Federal mandates.

And Kansans aren't the only people who have supported our efforts to provide more flexibility. Both the Senate and House versions of this bill passed with broad bi-partisan support. All fifty governors have endorsed Ed-Flex. In fact, even President Clinton agrees that Ed-Flex will help to improve education in this country.

However, while Ed-Flex is an important first step towards relieving the pressure of Federal mandates on local schools, it is still just the first step. Recognizing that the Federal Government is not best suited to set the rules under which we educate our students, we must continue to reduce the role of the Federal mandates in local education. The demands on a school district in urban California are quite different from those on districts in rural Kansas—no less daunting—simply different. We, as a body, must continue to move legislation which will allow those two districts to decide for themselves how best to educate their children.

Mr. REED. Mr. President, I rise in support of the Conference Report on the Education Flexibility Partnership Act.

I am particularly pleased that the Conference Report contains my amendment to ensure that parents have a strong voice in the Ed-Flex waiver process. My amendment requires states and school districts to provide public notice and comment opportunities to parents and other interested members of the community before requesting waiver authority or waivers.

As an added accountability measure to ensure that parents and communities across the nation have confidence in the waiver process, my amendment also requires states and school districts to submit these comments along with their application to the Secretary or the state as appropriate.

Such requirements provide parents an opportunity to play an active role in the waiver process, and, by doing so, empower them to help their children succeed in school.

I believe that it is extremely important for parents to be involved in their child's education. As the Center for Law and Education has noted, "when parents are involved at school, their children not only go further, the schools become better for all children."

Moreover, the implications of waiver requests are broad. Input and participation by parents and other interested members of our communities can only lead to more effective use of any waivers. Indeed, parents are more likely to be receptive to the waivers and work to see that the goals intended by the waivers are achieved if they actually know about the waivers; are involved in shaping the waivers; and have a real stake in the waiver process.

With Ed-Flex, we have an opportunity to provide more flexibility to

enhance state and local education reform efforts. I am pleased that the Conference Report recognizes the need to balance that flexibility with accountability by containing provisions that I worked on closely with Senators KENNEDY and DODD to ensure that the increased flexibility provided to states and school districts is tied to strong accountability.

When we send scarce federal dollars to states and school districts, we need to hold them accountable for results. Indeed, too many of our children do not get the education they deserve. Without accountability, we will never reverse this situation.

Mr. President, I am also pleased that the bipartisan commitment we made last year to fund the class size reduction initiative is maintained in the Conference Report. Indeed, the Republican attempt to pit the needs of children with disabilities against the general student population is both counterproductive and destructive.

Lastly, I want to note that Ed-Flex alone is not going to turn around the education of our children. Ed-Flex is one of the easier and less complex education issues we may consider this year. Now it is time to begin the hard work of truly improving teacher quality, strengthening parental involvement, equipping our school libraries with up-to-date books, repairing and modernizing our schools, and reducing class size. These initiatives are the hallmarks of real education reform—not slogans about block grants and vouchers.

Mr. President, the issue of education is one of the greatest challenges facing our nation. There are no quick fixes. It is only through hard work and sensible reauthorization of the Elementary and Secondary Education Act that we can begin to truly improve education.

Ms. COLLINS. Mr. President, I rise as an original cosponsor of the Education Flexibility Partnership Act to speak in support of the conference report on this important legislation designed to improve the quality of our children's education.

This is a straightforward, bipartisan proposal with no budgetary impact. It is endorsed by the governors of all fifty states. It will give to every state the flexibility that twelve states have had for the last five years—flexibility that will allow states and communities to pursue innovative efforts for the improvement of K-12 education. We should approve the conference report and take an important first step toward returning the control of education to our states and local communities.

Opponents of education flexibility claim that it reduces the accountability of the states and will divert federal funds away from programs that support low-income children. These arguments simply have no validity because of the safeguards we have written into the act. To be eligible to participate in Ed-Flex, a state must have

made significant progress toward developing and implementing challenging standards for education content and performance for all of its students. Moreover, an Ed-Flex waiver can not exceed five years unless the Secretary of Education determines the waiver has been effective in assisting schools in implementing education reforms.

It is not accountability that Ed-Flex eliminates; what Ed-Flex does away with is the direct federal control of local decisionmaking. The objectives of federal education funding remain the same—improve the performance of all students and all schools. Ed-Flex encourages and supports the states and local school districts in developing innovative new approaches to education reform and improvement. The intent of existing education programs is preserved while the administrative burden on the states and local communities is lessened. States and communities will be allowed to tailor these programs to fit local needs and conditions. In short, the legislation we are now considering recognizes that the people closest to our schools—our school board members, teachers, principals, and parents—are the best able to craft reforms that respond to local needs.

As pleased as I am to support this conference report, I am very disappointed that it has eliminated the Senate's provision that would have afforded local schools the choice of using the funds appropriated for class-size reduction to pay for special education. Contrast the progressive objectives of the Ed-Flex bill with this decision. Some members insisted on placing new federal requirements on local schools through a new categorical program at the same time we are moving toward more local control through this bill. We need to move away from this "Washington knows best" approach.

I am a strong supporter of public education and believe that the federal government should increase its support for our schools. It should realize this goal first by meeting its commitment to pay the federal share of special education, not by creating new Washington-driven programs. If we meet our obligation to pay forty percent of the cost of special education, millions of dollars of local education dollars will become available for the needs of education in every state and in every school district. These are dollars that can be spent on more teachers—or on school construction, drop-out prevention, after school programs, or on any other need a local school establishes as its priorities.

Clearly, the Education Flexibility Partnership Act is only the starting point. We need to go much further in cutting the federal red tape that binds our local schools and hinders their ability to respond to the needs of their students. Giving schools greater flexibility must be a major priority as we proceed with the reauthorization of the Elementary and Secondary Education Act. I plan to take another step in the

direction of less federal control by introducing a bill to give small, rural schools greater flexibility in the way they use federal education funding.

The federal government must help our local schools to improve their performance. But control and management from Washington are not what is needed. Extending the option of Ed-Flex to every state eases the federal hold on our local schools. I urge my colleagues to approve the conference report that is before us today and to move forward in supporting more local decision-making as we reauthorize the Elementary and Secondary Education Act later in this Congress.

Mr. KOHL. Mr. President, I am pleased to express my support for the Education Flexibility Partnership Act conference report. I commend the conferees for working so hard to remove the provisions of the bill that would have been harmful to our schools, and for keeping the elements that really will provide much-needed flexibility to States and local school boards to try new, innovative approaches to improving public education.

I support this conference report for several reasons. First, it removes the provisions in the Senate bill that would have forced school districts to choose between hiring teachers or serving students with special needs. I strongly support putting more money into IDEA. The Federal government is required to pay for up to 40 percent of special education costs; yet, we are currently only contributing about 10 percent. This is unacceptable and I am committed to increasing the Federal contribution to IDEA. But taking the money away from teachers is not the way to do it. We must find the will and the resources to meet all of our educational needs and responsibilities—we should fund teachers, and special education, and technology, and school construction. We should not force school districts to choose between these important priorities, and I am pleased that the conference report no longer does so.

Second, I strongly support the provision in the conference report that allows schools to place disabled children who carry or possess a weapon at school in an alternative education setting. Unfortunately, during consideration of the Senate Ed-flex bill, the amendment that contained this important provision also contained other harmful provisions that would have diverted funding away from teacher. Although I voted against the amendment because of the funding piece, I support this provision to appropriately discipline and remove any student who brings a weapon to school. I am pleased that the harmful pieces of that amendment were dropped in conference, and that this provision to keep guns out of our schools was retained.

It seems particularly appropriate, yet tragic, that this requirement should be passed on the day after the school shooting that occurred in



Littleton, Colorado. Although authorities are still sorting through the facts and details of that horrifying incident, one thing is clear: we must aggressively take every step possible to keep guns out of the hands of children and out of our schools. Enactment of my Gun Free School Zones Act was a good start, and this provision continues to move us in the right direction, but I believe we must go further and make the safety of our school children a national, state and local priority.

Finally, the Ed-Flex conference takes a small but important first step in correcting a glitch in last year's Class Size Reduction Act. Current law requires that if a school district receives less money than is necessary to hire a teacher, that district must form a consortium with other districts, pool their money together, and share a teacher. This simply won't work in many places in Wisconsin; the teacher would spend more time traveling between school districts than teaching. Yet, under current law, unless the district formed the consortium, they would not have access to the class size money at all.

The Conference report partially fixes this problem by allowing those school districts that have already reduced class size in the early grades to access this money without forming a consortium. They are free to use this money for professional development to improve teacher quality. I am pleased by this change, but this does not address the problem for those districts that have not yet reached the target class size reduction goals. These districts want and need this money, and I will continue to work with my colleagues and with the Department of Education to make sure they get it.

Mr. President, the Ed-Flex bill does not solve every problem in public education. We still have many issues to address when we reauthorize the Elementary and Secondary Education Act. But I support the principle of providing more flexibility to States and local school districts, who have the ultimate responsibility of educating our Nation's children. Although it is a modest step forward, I am pleased to support the Ed-Flex conference report.

Mr. BIDEN. Mr. President, I rise in support of this conference report on the Education Flexibility Partnership Act of 1999. When this so-called "Ed-Flex" bill was last before this body, it contained a plan to cut back on the commitment this Congress made last year to help put 100,000 new teachers in our schools. Now that this contentious provision has been removed, I'm pleased this afternoon to support the final passage of this bill and to clear this measure for the President's signature.

There's little doubt that education is something that can help set an individual free or consign him or her to a lifetime of uphill battles. And as a Nation, the quality of our educational system can make us a world leader or relegate us to a second-class status.

While most education decisions are—and should continue to be—made at the state and local level, the Federal Government has a crucial role to play in helping schools to educate all our children for the high-tech world of the 21st Century. I believe this bill will help us to better reach our goals.

All across America, parents, teachers, school boards, students, and policy makers are looking to improve their schools, and the Federal Government has offered help to schools in developing and instituting innovative reforms. In 1994, we took the important step of setting up a demonstration program in six states to allow certain regulations in Federal education programs to be waived if those regulations impede progress on school improvement efforts. We later expanded that demonstration program to twelve states.

This legislation we are passing today will allow all states, including Delaware, the same flexibility that was afforded the states in the demonstration program. The Federal dollars will still be spent for the purposes intended, but states will be freed to use the money in the most efficient and creative ways, most responsive to local needs. Importantly, this bill also includes strong provisions to ensure that schools will be held accountable to meet educational goals.

In the struggle to improve our education system, this is an important step in promoting new ideas and solutions to better our schools and make the most of our education dollars.

Mr. GRAMS. Mr. President, I take this opportunity to again express my strong support for the education proposals currently before the Senate, which would direct more dollars and decision-making authority to states, teachers, and parents.

Today the Senate considers an important bill designed to facilitate education administration and free more resources for our students. The "Education Flexibility Partnership Act of 1999" would extend the "Education Flexibility Partnership Demonstration Program," otherwise known as "Ed-Flex."

Ed-Flex allows eligible local school districts to forgo federal red tape that consumes precious education resources. In return, states must have sufficient accountability measures in place and continue to make progress toward improving student education. States must also comply with certain core federal principles, such as civil rights. The concept of Ed-Flex is simple, yet the benefits would be significant. In other words, let's put more money into educating our kids in the classroom rather than lining the pockets of bureaucrats.

The Ed-Flex demonstration program is currently in place in 12 states. The "Ed-Flex Act of 1999" would allow all 50 states the option to participate in the program. With good reason, the program has been very popular. Unnecessary, time-and-money-consuming federal regulations are rightly despised

by school administrators. Did you know that the federal government provides only seven percent of local school funding, but requires 50 percent of all school paperwork? That's ridiculous. We need to put education dollars into the classroom instead of bureaucracy.

Ed-Flex takes a critical step in allowing more localized decision-making authority—the power to decide when the federal regulations are more troublesome and expensive than they're worth. Today, there are simply too many regulations which are despised by school administrators.

Giving more decision-making authority to states and local school districts is good common sense. Naturally, those who are closest to our students are in the best position to make the most appropriate and effective decisions concerning their education. One-size-fits-all legislation may work well in other areas, but not in education. Some of the most successful classrooms across our nation vary tremendously in their structure, functioning, and appearance.

In my home state of Minnesota, for instance, we have very rural communities, urban communities, and everything in between. We've got farm kids, suburban kids, and city kids. All of these kids are students. And I know this sort of rural-to-urban community-mix is typical for most states. How much sense does it make then, to require local school districts and classrooms—all with their own particular strengths and weaknesses—to follow, in lock-step, the homogenized, uniform routine of federal bureaucracy? Not much.

This week in Minnesota, the focus in the State Legislature is on education, and those involved in the debate over spending priorities and education initiatives will be Minnesota state officials, teachers, and parents: people much better suited to be making decisions for our students than Washington bureaucrats.

We have opportunities before us to do something meaningful for our children's education. A complementary bill to Ed-Flex which promotes local decision-making power is Senator HUTCHINSON's Dollars to the Classroom Act. Under this proposal, many federally funded K-12 programs would be consolidated and the dollars sent directly to states or local school districts—free from the usual Washington red tape. The bill would require that at least 95 cents out of every dollar spent on 31 primary and secondary federal education programs go to the classroom, allowing teachers and parents to support local education priorities.

It would take money from competitive federal grant programs, which rarely reach the local classrooms that need them, and send this money directly to local schools and districts for their spending needs.

Mr. President, in a more general sense, we need to address the reasons why our students aren't achieving the levels of academic excellence they

should. Of course we all want the best education available for our children, and to improve the state of American education and schools for all children.

It's in the best interest of our kids and of our country. It would be nice to think that we could solve the problems of education by spending more and more money. Unfortunately, that doesn't work. The United States is the world leader in national spending per student. Yet our test scores show that our system is failing our children.

Test results released last year show that American high school seniors score far below their peers from other countries in math and science. We're at rock bottom. It's going to take more time and effort to solve these problems—and the most important work will be done by those in the best position to do so: parents, teachers, and local administrators. We must give them the freedom they need to accomplish the job. This freedom comes with the authority to make decisions based on a variety of specific needs. I will continue to support measures like the Ed-Flex legislation and the Dollars to the Classroom Act, that return money and control—from Washington—to parents, teachers, and local school districts. After all, they know best how to spend education dollars.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I know that education has a lot to do with what happens in these cases, and the failure of our educational system in some regards is certainly a contributing factor. As we get into the drop-out protection aspects of the bill and also the Safe and Drug Free Schools Act, I think you will learn some startling things.

I remember not long ago here we had a speaker who told about the amoral generation we are raising in gangs across the country leading to these kind of problems. I think it is incredibly important that when we do take up, which only occurs once every 5 years, the Elementary and Secondary Education Act, we have to examine what happens and why we have these problems. I look forward to working with my friend to design hearings which should be productive to our society.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. Mr. President, I ask for the yeas and nays on the conference report on H.R. 800.

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

The yeas and nays were ordered.

Mr. JEFFORDS. Mr. President, we cannot yield the remainder of the time until we have the Senator from Minnesota.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum on his time.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The assistant legislative 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. JEFFORDS. Mr. President, I have checked with the minority, and I yield back all remaining time.

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

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is absent due to surgery.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote "aye."

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 89 Leg.]

YEAS—98

Abraham	Enzi	Lott
Akaka	Feingold	Lugar
Allard	Feinstein	Mack
Ashcroft	Fitzgerald	McCain
Baucus	Frist	McConnell
Bayh	Gorton	Mikulski
Bennett	Graham	Murkowski
Biden	Gramm	Murray
Bingaman	Grams	Nickles
Bond	Grassley	Reed
Boxer	Gregg	Reid
Breaux	Hagel	Robb
Brownback	Harkin	Roberts
Bryan	Hatch	Rockefeller
Bunning	Helms	Roth
Burns	Hollings	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Schumer
Chafee	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
Crapo	Kohl	Thomas
Daschle	Kyl	Thompson
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wyden
Edwards	Lincoln	

NAYS—1

Wellstone

NOT VOTING—1

Moynihan

The conference report was agreed to.

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

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

Mr. JEFFORDS. Mr. President, I will briefly speak to thank the staffs on both sides. They worked so hard on this bill. When we went to the conference with the House, there were many things that had to be worked out and they worked extremely fast and very competently to allow us to have this bill passed and on to the President as soon as possible.

I especially thank all of the staff who worked on this bill: Meredith Medley

and Lori Meyer with Senator FRIST, Danica Petroschius with Senator KENNEDY, Suzanne Day with Senator DODD, Denzel McGuire and Townsend Lange with Senator GREGG, and Lindsay Rosenberg with Senator WYDEN. I also thank Susan Hattan and Sherry Kaiman with my staff.

I thank all the Members for their excellent cooperation on this bill, which will do a lot to help our local schools in particular to be able to better face the problems they encounter.

Mr. President, I yield the floor.

## RECESS

Mr. CRAIG. Mr. President, I ask the Senate recess for no longer than 10 minutes and at the end of that recess period the senior Senator from West Virginia be recognized.

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

Thereupon, at 4:16 p.m., the Senate recessed until 4:25 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. SESSIONS).

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia is to be recognized.

Mr. BYRD. Mr. President, I ask unanimous consent that I may yield to the distinguished senior Senator from North Carolina for such time as he may require to introduce some guests.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from North Carolina is recognized.

Mr. HELMS. I thank the Chair and certainly thank the distinguished Senator from West Virginia for whom I have the greatest admiration.

## VISIT TO THE SENATE BY PARLIAMENTARIANS OF THE REPUBLIC OF CHINA ON TAIWAN

Mr. HELMS. Mr. President, today we have in this Chamber a distinguished group of parliamentarians from the Republic of China on Taiwan. I invite Senators who have not already done so to come over and say a quick hello to our visitors.

## RECESS

Mr. HELMS. Mr. President, I ask unanimous consent that the Senate stand in recess for 3 minutes.

There being no objection, the Senate, at 4:26 p.m., recessed until 4:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. SESSIONS).

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Thank you, Mr. President.

## NATO: THE NEXT GENERATION

Mr. BYRD. Mr. President, this weekend, the 19 member nations of the North Atlantic Treaty Organization