

make it impossible for future enhancements to U.S. national missile defense in general.

The agreement Mr. Clinton proposes would not permit space-based sensors; it would not permit sufficient numbers of ground-based radars; and it would not permit additional defenses based on alternate missile interceptor systems, such as naval or sea-based interceptors. All of these, and more, are absolutely necessary to achieve a fully effective defense against the full range of possible threats to the American people.

Mr. Clinton's proposal is not a plan to defend the United States; it is a plan to leave the United States defenseless. It is, in fact, a plan to salvage the antiquated and invalid U.S.-Soviet ABM Treaty. That is what it is. No more. No less. It is a plan that is going nowhere fast in protecting the American people.

After dragging his feet on missile defense for nearly 8 years, Mr. Clinton now fervently hopes he will be permitted in his final 8 months in office to tie the hands of the next President of the United States. He believes he will be allowed to constrain the next administration from pursuing a real national missile defense. Is that what he believes or even hopes?

Well, I, for one, have a message for President Clinton: Not on my watch, Mr. President. Not on my watch. It is not going to happen.

Let's be clear, to avoid any misunderstandings down the line: Any modified ABM Treaty negotiated by this administration will be DOA—dead on arrival—at the Senate Foreign Relations Committee, of which, as the Chair knows, I happen to be the chairman.

This administration's failed security policies have burdened America and the American people long enough. In a few months, the American people will go to the polls to elect a new President, a President who must have a clean break from the failed policies of this administration. He must have the freedom and the flexibility to establish his own security policies.

To the length of my cable-tow, it is my intent to do everything in my power to ensure that nothing is done in the next few months by this administration to tie the hands of the next administration in pursuing a new national security policy, based not on scraps of parchment but, rather, on concrete defenses, a policy designed to protect the American people from ballistic missile attack, a policy designed to ensure that no hostile regime—from Tehran to Pyongyang to Beijing—is capable of threatening the United States of America and the American people with nuclear blackmail.

Any decision on missile defense will be for the next President of the United States to make, not this one. It is clear that the United States is no longer legally bound by the U.S.-Soviet ABM Treaty. Isn't it self-evident that the U.S.-Soviet ABM Treaty expired when the Soviet Union, our treaty partner,

ceased to exist? Legally speaking, I see no impediment whatsoever to the United States proceeding with any national missile defense system we—the American people and this Congress—choose to deploy.

That said, for political and diplomatic reasons, the next President—the next President—may decide that it is in the U.S. interest to sit down with the Russians and offer them a chance to negotiate an agreement on this matter.

Personally, I do not believe a new ABM Treaty can be negotiated with Russia that would permit the kind of defenses America needs. As Henry Kissinger said last year in testimony before the Foreign Relations Committee:

Is it possible to negotiate a modification of the ABM Treaty? Since the basic concept of the ABM Treaty is so contrary to the concept of an effective missile defense, I find it very difficult to imagine this. But I would be open to argument—

And let me emphasize these words as Henry Kissinger emphasized them when he said—

provided that we do not use the treaty as a constraint on pushing forward on the most effective development of a national and theater missile defense.

Now then, like Dr. Kissinger, I am open to the remote possibility that a new administration—unencumbered by the current President of the United States in his desperate desire for a legacy and this administration's infatuation with the U.S.-Soviet ABM Treaty—could enter into successful negotiations with the Russians.

The Republican nominee for President, Mr. Bush of Texas, has declared that on taking office he will give the Russians an opportunity to negotiate a revised—a revised—ABM Treaty, one that will permit the defenses America needs. But Mr. Bush made it clear that if the Russians refuse, he will go forward nonetheless and deploy a national missile defense. And good for him. Mr. Bush believes in the need for missile defense, and he will negotiate from a position of strength.

By contrast, President Clinton clearly has no interest whatsoever in missile defense. His agenda is not to defend America from ballistic missile attack but to race against the clock to get an arms control agreement—any agreement; he means any agreement—that will prevent his going down in history as the first President in memory not to do so.

So it is obvious, I think, that any negotiations Mr. Clinton enters into in his final months will be from a position of desperation and weakness.

For this administration—after opposing missile defense for almost 8 years—to attempt at the 11th hour to try to negotiate a revised ABM Treaty is too little, too late. This administration has long had its chance to adopt a new security approach to meet the new threats and challenges of the post-cold-war era. This administration, the Clinton administration, chose not to do so.

So this administration's time for grand treaty initiatives is clearly at an end. For the remainder of this year, the Foreign Relations Committee will continue its routine work. We will consider tax treaties, extradition treaties, and other already-negotiated treaties. But we will not consider any new last-minute arms control measures that this administration may negotiate and cook up in its final, closing months in office.

As the chairman of this committee, I make it clear that the Foreign Relations Committee will not consider the next administration bound by any treaties this administration may try to negotiate in the coming 8 months.

The Russian Government should not be under any illusion whatsoever that any commitments made by this lame-duck administration will be binding on the next administration. America has waited 8 years for a commitment to build and deploy a national missile defense. We can wait a few more months for a new President committed to doing it—and doing it right—to protect the American people.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, I ask unanimous consent to proceed for 15 minutes and also ask unanimous consent for Senator GORTON to proceed then immediately following me for 10 minutes.

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

IMPROVING AMERICA'S SYSTEM OF EDUCATION

Mr. DEWINE. Mr. President, we have a great opportunity ahead of us. Next week, the Senate will begin floor debate on the Education Opportunities Act—a bill that will help America's children by improving the quality of their education.

While education policy is primarily a local and State responsibility, the Federal Government does have a role to play. I am looking forward to discussing just what the Federal Government can do to improve the quality of the education our children receive. Few things are more important to our children's future than the quality of their education.

Every child in this country, regardless of race, economic status, or where that child lives, deserves the opportunity for a quality education. Yet far too many children, especially in our inner cities and Appalachia, simply are not getting the quality education they deserve.

We need more good teachers. We need safer schools. We need college access for all students who want to go to college.

We must, as a nation, attract the smartest and the most dedicated of our students to the profession of teaching. Yes, we certainly have to invest in

computers, new books, and new buildings. But we cannot ignore the single most important resource in any classroom—the teacher.

I have recalled before on this Senate floor something that my own high school principal, Mr. John Malone, told me 37 years ago. We were about to go into a new building. Everyone was excited; everyone was happy.

Mr. Malone came in and said to our class: We are about ready to go into this new building. We are all excited about it. It is a great thing. We have prepared for this for a long time. I want you to always remember one thing: In education, there are only two things that really matter. One is a student who wants to learn; the other is a good teacher. Everything else is interesting, maybe helpful. The only thing that really matters is that teacher and that student.

What Mr. Malone told our class 37 years ago was right then, and it is still correct today. We all know a good teacher has the power to fundamentally change the course of our life. Each one of us, if we are lucky, can recall one teacher or two or maybe three or many teachers who fundamentally changed our life, who we think about when we do things, whose voice still comes back to us, whether that is an English teacher telling us how to write or maybe something our history teacher, maybe later on a professor, told us. Each of us can recall that teacher who changed our life.

Those of us who are parents know how important a good teacher is. We know what happens when occasionally our child gets a teacher who just doesn't want to teach or who is not so good. We know what impact that has on a child as well. When you get right down to it, good teachers are second only to good parents in helping children to learn. Therefore, any effort to restore confidence and improve quality in education must begin with a national recommitment to teaching as a profession. This bill does that.

First, we must recommit ourselves to attracting the best, the most motivated of our students to the teaching profession. That means offering teachers the salaries and, yes, the respect they deserve. Second, we must insist our colleges and our university education departments aggressively reexamine how they prepare our future teachers. Some are doing it; some are changing. But all need to reexamine what they are doing.

Third, our teachers must have the resources available to allow them to continue their education after they enter the profession. The teaching profession is no different than any other profession. You continue to learn throughout the years. For example, in my home State of Ohio, in Cincinnati, teachers have access to the Mayerson Academy, which is a partnership with area businesses and the school system to provide teachers with additional training and additional professional develop-

ment. This kind of support should be available to teachers in every community in this country.

That is why, in the bill we will begin debating next week, I have included a provision that would authorize funding for the creation and expansion of partnerships between schools and communities to create teacher training academies such as the Mayerson Academy in Cincinnati. It works in Cincinnati. This is the kind of initiative that will help our teachers and our communities work together to improve the quality of teaching and, ultimately then, to improve the quality of education.

There are other things we need to do and other things this bill does address. This is a good bill. When Members begin to hear the debate next week, I think they will understand how much work has gone into it and how it will impact the quality of education in this country.

We need to make it easier to recruit future teachers from the military, from industry, and from research institutions, people who have had established careers, who have had real-world experience, and then who decide, at the age of 40 or 45 or 50, that they are going to retire from that profession and enter the teaching profession. We need to make it easier for them to do it.

Getting this kind of talent in the classroom is easier said than done. For example, if Colin Powell wanted to teach a high school history class or if Albert Einstein were alive today and wanted to teach a high school physics class, requirements in some States would keep these professionals—I would say in most States—from immediately going into the classroom, despite their obvious expertise in their fields. That is why we have included language in this bill to allow the use of Federal funds under title II for alternative teacher certification programs. This provision will allow States to create and expand different types of alternative certification efforts.

Additionally, the committee approved a separate amendment that I offered—and that is now part of the bill—that would ensure the continuation of a specific program designed to assist retired military personnel who are trying to enter the teaching profession. This is a great program. It is called Troops to Teachers. It simply helps retiring members of the military gain the State certification necessary to teach. It also helps them to find the school districts in greatest need of teachers. It is a program that has worked. It is a program that is improved in this bill, and it is a program that is continued in this bill.

Troops to Teachers has succeeded in bringing dedicated, mature, and experienced individuals into the classroom. In fact, when school administrators were asked to rate Troops to Teachers participants in their own schools, most of the administrators said the former military personnel turned teachers

were well above the average and were among the best teachers in their schools.

Since 1994, over 3,600 service members, by going through the Troops to Teachers program, have made the transition from the military into the classroom. When we analyze who those people are, who is going into the classroom, who is going through the Troops to Teachers program, what we find is they are just the people we need. They are people with real-world experiences. They are people with expertise many times in math and science, something we desperately need in our schools. They are disproportionate to the population as far as the minority population, so it means we are putting more minority teachers into our classrooms. We are also doing something many professionals tell us we need to do; that is, try to get more males into the primary schools. Troops to Teachers is doing that as well. It is an exciting program that is continued in this bill. It is improved in this bill. It is one of the things that makes this bill a very solid bill. We need to ensure this kind of program, one with proven results, continues well into the future.

Separate from the difficulties of the teacher certification process I have described, I am also concerned about the fact that many of our most experienced teachers, the teachers who in many cases are the most senior, are about to retire. The fact is, these experienced teachers are also the best resources in our schools. It is very important that we benefit from their experience before it is too late, before they leave the teaching profession. That is why I included language in the bill that will allow the use of Federal funds for new and existing teacher mentoring programs. New teachers benefit greatly by learning from the knowledge and the experience of veteran teachers. By pairing new teachers with our schools' most experienced and most respected teachers, those who have years of knowledge and expertise and experience in this profession, we can help retain our brightest and talented young teachers.

Finally, the bill contains my language to expand the mission of the Eisenhower National Clearinghouse, a national center located at Ohio State University that provides teachers with the best teacher training and curriculum materials on the subjects of math and science. The clearinghouse, which screens, evaluates, and distributes the multiple training and course materials currently available, makes it easy for teachers to quickly and efficiently access material for the classrooms. My provision in title II expands the clearinghouse's mission to go beyond math and science, to now, under this bill, include subjects such as history and English.

The bill we will consider next week takes a number of positive steps towards improving the quality of those who make the commitment to teach.

What this bill is about is expanding the support network available to our teachers: support for people in other professions seeking a second career as a teacher; support for teachers seeking to improve subject knowledge or classroom skills; support for teachers seeking new ways to teach math or science or history; and finally, support for new teachers from experienced teachers.

In short, with this bill, we provide the kinds of resources that enable the teaching profession to build upon its commitment to teaching excellence. Mr. President, as we debate the merits of the Educational Opportunities Act, the bottom line, I believe, is that we need to get back to basics: good teachers, safe schools. That is what this bill is about—good teachers, safe schools. Parents will not have peace of mind unless they know their children's teachers are qualified to teach, that they are good teachers, and that their children's schools provide safe learning environments. It is that simple. That is what parents expect.

Today, I have talked about teaching and what this bill does to assist the teaching profession. Tomorrow, I hope to have the opportunity to talk about the second component of this bill which is safe schools. Good teachers, safe schools. We need to get back to the basics, and that is what this bill does.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

(The remarks of Mr. GORTON pertaining to the introduction of S. 2464 and S. 2466 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PROTECT THE RIGHTS OF CRIME VICTIMS—Motion to Proceed—Resumed

The PRESIDING OFFICER. The clerk will report the unfinished business.

The legislative clerk read as follows:

Motion to proceed to S.J. Res. 3 proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I remind my colleagues of the status now of business on the Senate floor. It has been a little confusing. I know, particularly for those who might be watching who aren't familiar with Senate procedures. But sometimes we take something up and then lay it aside, take something else up, and then go back to the original matter, and so on. That is what we have been doing.

Yesterday, you will recall that we began the debate on S.J. Res. 3, which is an amendment to the U.S. Constitution that would provide rights to victims of violent crime. Senator FEINSTEIN of California and I are the primary sponsors of that resolution.

At the end of yesterday, we went to other matters. We are now going to resume debate on the motion to proceed to this resolution.

The Senate procedure is that we first have to decide to proceed, and then we can proceed. So later on this afternoon, hopefully, the Senate will vote to proceed to formal consideration of this constitutional amendment. Technically, for a while this afternoon we are going to be debating on whether or not we should proceed.

I am hopeful our colleagues will agree, whether they support the amendment or not, that they should permit us to proceed to make our case so they can evaluate it and decide at the end of that period whether or not they want to support a constitutional amendment.

I think it is a little difficult, given the fact that there hasn't been a great deal of information, for people who are not on the Judiciary Committee to decide what their position is on this until they have heard arguments.

Yesterday afternoon, Senator LEAHY primarily, but several other members of the Democratic side and one Republican, came to the floor and discussed at length, I think for at least 3, maybe 4 hours, reasons why they thought that constitutional amendment should not be adopted. Certainly there are legitimate arguments that can be adduced on both sides of this proposition.

But I would like to begin today by explaining a little bit why we believe that it is important, first, to take the amendment up, and, second, why we believe, if we do take it up, it should be supported by our colleagues.

Senator FEINSTEIN will be here shortly, and she will begin her presentation by discussing a case, the Oklahoma City bombing case, that in some sense is a metaphor for this issue generally, because in the Oklahoma City bombing case victims were denied their rights. Families of people who were killed were not permitted to sit through the trial. They were given a choice over a lunch break during the trial either to remain in the courtroom or to leave if they wanted to be present at the time of the sentencing and to say something to the judge at that time. There was enough confusion about the matter that many of them gave up their right

to sit in the courtroom in order to be able to exercise their right to speak to the judge at the time of the sentencing.

Congress was so exercised about that it actually passed a law—it was specifically directed to the Oklahoma City bombing case but it pertained to other similar cases—so that victims have the right to be in courtroom, and they shouldn't have to make a choice between the trial and sentencing. They should be able to appear at both.

Senator FEINSTEIN will discuss in a moment the details of how that case proceeded and why it stands for the proposition that we need a Federal constitutional amendment.

The bottom line is that even the Federal Government passed a statute designed to pertain to this exact case which was insufficient to assure that those people could exercise what we believe is a fundamental right to sit through that trial. They were denied that right.

What is worse, because the case was taken up on appeal, and because the U.S. Constitution clearly trumps any Federal statute, or any State statute, or State constitutional provision, it wasn't possible to argue that this Federal statute trumped the defendants' rights if those were bases for the rights asserted.

So you have at least seven States, or thereabouts, in the Tenth Circuit that are now bound by a precedent that says this Federal statute doesn't work, to let you sit in the courtroom during the trial. That has to be changed. There is only one way to change it. That is with a Federal constitutional amendment that says to the courts, from now on, these are fundamental rights and courts must consider these rights.

As Senator FEINSTEIN will point out, supporters of this amendment include a wide variety of people who had family and friends involved in the Oklahoma City bombing case. One is Marsha Kight, whose daughter was killed. Marsha has been a strong supporter of the victims' rights amendment because she had to sit through all that. That is what Senator FEINSTEIN will be talking about.

We listened to arguments yesterday from Senator LEAHY and others about the amendment. I understand they wish to talk this afternoon. I will be paying attention to what they have to say and try to respond as best I can. The arguments fall into two or three general categories. One notion they presented is that this is a complicated amendment, it is too long—even longer than the Bill of Rights. It is not longer than the Bill of Rights. We have counted the words. I will have my staff tell Members exactly how many words are in the Bill of Rights and how many words are in this amendment.

The point is, to find defendants' rights, one has to look all over the Constitution. We have amended the Constitution several times to give people who are accused of crime different rights. If you added up all rights of the