

Mr. JEFFORDS. Mr. President, what is the order of business?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. JEFFORDS. When does morning business terminate?

The PRESIDING OFFICER. Morning business terminates at 11:15.

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

The PRESIDING OFFICER. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EDUCATIONAL OPPORTUNITIES ACT—Resumed

The PRESIDING OFFICER. The clerk will report S. 2.

The legislative clerk read as follows:

A bill (S. 2) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

Mr. JEFFORDS. Mr. President, I ask unanimous consent the order of amendments to S. 2 be modified to show Senator MURRAY's class size amendment is the fourth amendment in lieu of Senator KENNEDY's teacher quality amendment.

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

Mr. JEFFORDS. I yield to the Senator from Washington.

Mr. GORTON. I believe under the previous order it is now in order for me to offer an amendment.

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 3110

(Purpose: To strengthen the Academic Achievement for All Demonstration Act (Straight A's Act))

Mr. GORTON. I send an amendment to the desk for immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mr. GORTON], for himself, Mr. GREGG, Mr. LOTT, and Mr. COVERDELL, proposes an amendment numbered 3110.

Mr. GORTON. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 630, strike lines 24 and 25.

On page 653, strike lines 12 through 22.

On page 654, between lines 16 and 17, insert the following:

“(12) ACHIEVEMENT GAP REDUCTIONS.—An assurance that the State will reduce by 10 percent over the 5-year term of the perform-

ance agreement, the difference between the highest and lowest performing groups of students described in section 6803(d)(5)(C) that meet the State's proficient and advanced level of performance.

“(13) SERVING DISADVANTAGED SCHOOLS AND SCHOOL DISTRICTS.—An assurance that the State will use funds made available under this part to serve disadvantaged schools and school districts.

On page 656, beginning with line 22, strike all through page 657, line 5, and insert the following:

“(9) Section 1502.

“(10) Any other provision of this Act that is not in effect on the date of enactment of the Educational Opportunities Act under which the Secretary provides grants to States on the basis of a formula.

“(11) Section 310 of the Department of Education Appropriations Act, 2000.

On page 657, line 6, strike “(11)” and insert “(12)”.

On page 657, line 9, strike “(12)” and insert “(13)”.

On page 657, line 21, insert “that are consistent with part A of title X and” after “purposes”.

On page 665, strike lines 16 through 18, and insert the following:

“To the extent that the provisions of this part are inconsistent with part A of title X, part A of title X shall be construed as superseding such provisions.

On page 846, line 15, strike “and”.

On page 846, between lines 15 and 16, insert the following:

“(E) part H of title VI; and

On page 846, line 16, strike “(E)” and insert “(F)”.

Mr. GORTON. Mr. President, we are now launched into that portion of this vital debate on education when amendments will be proposed, debated, and voted upon. Under the order, there will be first a Republican amendment; second, an amendment for a Democratic alternative; the third, another Republican amendment; and fourth, the Murray amendment that was just outlined by the Senator from Vermont.

I hope, and I think the leadership hopes, we will vote on the first two amendments before the end of business today, but that certainly is not guaranteed. At the present time, there is no time agreement.

Mr. KENNEDY. Will the Senator yield?

Mr. GORTON. I yield.

Mr. KENNEDY. I appreciate what the Senator said. I think we can move more rapidly if we exchange the amendments. We have just received the Gorton amendment and we want to be responsive in a timely way. We would be glad to try to stay two amendments ahead so those who have the responsibility to inform their colleagues, as well as to speak on these issues on the floor, have an opportunity to be prepared to address those questions.

I hope, out of a spirit of comity, we could try to do that. It is generally done in areas of important policy. There is no reason not to. We know what these matters are. I indicated to the chairman of the committee 2 days ago what our amendments were going to be, and they are the ones we offered in committee. There are no surprises. I hope we could at least try to do that as a way of moving this process forward.

This is related not only to the Senator from Washington. We know he has spoken to other groups that he intended to offer an amendment, but we will try to work with the floor managers to exchange these amendments so we can move it forward in a way that will benefit all Members.

Mr. JEFFORDS. Mr. President, I will do all I can to make sure the Senator has appropriate notice.

Mr. KENNEDY. We will provide to the leader our first amendment, as I indicated, the Democratic alternative, and then the Murray amendment. I will be glad to give the particulars to the floor manager.

Mr. JEFFORDS. Thank you.

Mr. GORTON. Mr. President, I think the suggestion of the Senator from Massachusetts is an excellent one. As I say, I hope we will debate for the balance of the day on the amendment I have just submitted and on the Democratic alternative. I, for one, will have no objection during the course of the day if the Democratic amendment is before the body more or less contemporaneously with my own. They can be debated at the same time. Whether we will be able to finish today and vote on both of them is uncertain. I think it is the hope of the leadership we can do so. The idea that the next two amendments that are already enshrined in the unanimous consent agreement should be exchanged today so each side can see them for debate tomorrow, in my view, is an excellent idea.

The subject of my amendment is one of the important and dramatic changes proposed in the bill reported by the Health, Education, Labor, and Pensions Committee. It is an amendment to the Straight A's portion of that bill. I will discuss Straight A's a little bit more in detail as we go forward today, but, fundamentally, Straight A's in the form in which it is found in this bill is a 15-State experiment available to 15 of the 50 States, pursuant to which roughly a dozen of the present categorical education programs—including, most notably, title I—would be combined and consolidated without the great bulk of the rules and regulations literally amounting to hundreds of pages and the forms and bureaucracy that accompany those rules and regulations.

There would, however, be one overwhelming requirement substituted for the procedural rules that accompany the present programs that are included in Straight A's. Those procedural rules have literally nothing to do with student achievement. They have to do with eligibility. They have to do with the nature in which the money coming through those programs is spent. They, of course, have as their goal student achievement. But most notably, the 35 years of title I have not been marked by any significant reduction in the difference between partially privileged student achievement and those of the underprivileged students, at which title I is aimed.

This amendment is slightly more than a technical amendment, but it

certainly does not change the philosophy of Straight A's. It has a more binding requirement; that the 15 States which take advantage of Straight A's actually reduce the achievement gap between high- and low-performing students by a minimum of 10 percent over the 5 years of the contract under which Straight A's is offered to those 15 States.

S. 2, this bill, already includes a very considerable carrot that gives a bonus to States that close that gap by 25 percent during the course of the agreement. That is a new, novel, and vital part of Straight A's. However, in order to see to it that the States which take advantage of Straight A's actually reduce that gap, a more modest but still significant reduction is simply required as a condition of continuing to be eligible for Straight A's.

Second, there has been some criticism that elements in this bill could be construed to be vouchers. That is not the case, in my view. It was not the intention of the draftsman of Straight A's or of the bill as a whole, but a portion of the amendment that is before the Senate now creates exactly the situation that exists under present law, where the use of Federal funds for vouchers is not explicitly provided for or disallowed but is essentially dependent upon the interpretation of current law by the Department of Education.

A third change in this amendment requires that districts and States that use Straight A's provide an assurance that Federal funds will be used to certain disadvantaged districts and schools. I do not think that differs from Straight A's, as it was originally drafted, but it makes that requirement more explicit.

Finally, it sets up a list of eligible programs in Straight A's and in another part of this bill, performance partnership agreements, as being identical, as matching. They were meant to match. There were a couple of technical differences in the bill as reported. This corrects that disparity. But the purpose of the amendment, in addition to those minor changes, is to focus the attention of this body on that portion of S. 2 that deals with Straight A's.

I have spoken on a number of occasions on that subject. I would like to do so now once again. I should like to say, to reuse an analogy I used in my remarks last night, we are, as is the case with every group that proposes a dramatic change, threatened with all kinds of disastrous consequences if somehow or another we change the status quo. That is not a property exclusively belonging to members of one party or to the other. But it does seem to me that what we are proposing in S. 2 taken as a whole, with Straight A's as a major portion, is the most significant redirection of Federal education policy since the advent of title I itself some 35 years ago.

Every addition to Federal education policy since then, with the modest exception of Ed-Flex, has increased the

control and the influence of the Department of Education here in Washington, DC, over the education policies of 17,000 school districts in the 50 States across the United States. Every frustration at a lack of success—and there have been many such lacks and many such frustrations—has been marked by a Federal statute that increases the control and the authority the Federal Government has imposed over education policy. If 100 pages of rules is not working as we desired it, maybe 200 pages of rules would work better.

At least unconsciously, if not consciously, that has been the direction in which the Congress and many Presidents have led Federal education policy over the course of the last 35 years, to the point at which we have a huge disparity between the modest 7 percent or 8 percent of the money spent on public education in this country that is appropriated by Congress and the blizzard of rules and regulations governing the spending of that 7 percent or 8 percent, a set of rules which has a huge impact on the way the other 93 percent that is supplied by States and local communities themselves is spent.

This is an attempt to reverse that direction, to show far more trust in parents, who obviously are concerned about their children's education, and trust in the men and women who dedicate their careers to that education—their principals, their teachers, their school superintendents, and those civic-minded citizens who expose themselves to the same kind of assaults in the political world as we do as Senators. But in 99 percent of all cases as they run for membership on school boards, they do so without compensation and close to home.

We believe firmly that these people, the people who, by and large, know our children's names and our grandchildren's names, are better suited to make many of the decisions about the quality of education and the direction of education those children receive than is the Congress of the United States or are the bureaucrats in the U.S. Department of Education. That is the goal of Straight A's, to restore some of that authority on an experimental basis to States and to school districts in 15 of the States of the United States.

As I said earlier, it is regarded by a number of Members of this body with absolute horror that we should think of doing so. We are given a series of nightmares about what might happen if we allow parents and these professional educators to make decisions they have continuously been deprived of the authority to make over the years.

The analogy to which I referred was welfare reform. The Presiding Officer can remember that debate only a few years ago. We were told if we took this tremendous step in a very different direction, a different direction after 50 years or more of a welfare system that was also more and more encrusted with

rules and regulations and assumptions about what people would do under certain circumstances, we would devastate the social fabric of the United States. After a debate that encompassed several years, with a number of vetoes, we did in fact dramatically reform our welfare system, and we have had a dramatic success in doing so, with only a few bitter enemies critical of the direction of that welfare reform.

I know of no other issue during my time in this body comparable to that change and to that debate until we got to this debate. We are now at the point at which we found ourselves, maybe 1 year into the debate on welfare reform, here with education reform. Our view is that if more decisions are made closer to our students' lives by people who know those students, the quality of their education will improve and we will have a greater opportunity to help the great mass of students in the United States, our young people, with the complicated challenges of the 21st century.

However we do not leave it at that. We do not simply say: We think you can do a better job, so here is the money. Go out and do it. We tell the 15 States that will be privileged to exercise the Straight A's option: You have to perform. We are not going to give you a whole bunch of rules and regulations about how you fill out forms and how you assure that money is spent on a narrow category of programs; we are simply going to tell you that you have to do better. You are going to have to come up with a way of measuring achievement in your State—as most States have, at this point. You are going to have to tell the U.S. Department of Education that if you are allowed into Straight A's, in the 5-year period of your contract the achievement of your students will improve by a specific amount that you outline in this contract. And if you fail, you are going to lose that ability, that authority to spend the money as you see fit for your priorities, for your children, for your States and in your communities.

That is the ultimate in accountability. When we deal only with process accountability—how well do you abide by the rules, how well do you fill out the forms—we do nothing in particular for our children and for their education. We hope the results will be good, but there is no measurement of the actual quality of their education as reflected in the way in which they deal with standardized tests in each one of these States. We have an accountability, not to process but to performance. I want to repeat that. Our accountability is not to process but to performance. In order to succeed, in order to continue in the Straight A's Program, you are going to have to show that you are providing a higher quality of education to the students in the school systems in your State.

As I introduced this bill more than a year ago, it was not limited to 15

States, either in the House or in the Senate. I suppose it is a commentary on the dramatic nature of the change, that it has been reduced to a significant demonstration program in this bill. The House of Representatives allows it in 10 States. We, in this bill, allow it in 15 States. I would much prefer every State have that option, but only 15 are going to be able to do so. At the same time, I want to point out a very important fact, not just about Straight A's but about all of the innovative directions in this bill. The Performance Partnership Act, the Teachers' Empowerment Act, other provisions of the bill—none of them is mandatory; they are all elective.

It is important for everyone in this body to recognize—it is important for all the people to recognize—that we are not requiring these changes. Any State in the United States of America that believes the present system of categorical aid programs and the present system that has 127 at-risk and delinquent youth programs in 15 Federal agencies and Departments, 86 teacher training programs in 9 Federal agencies and Departments, and more than 90 early childhood programs in 11 Federal agencies and Departments, not to mention the programs that are included in Straight A's, any State that wishes to continue under that system is free to do so—any State. If they like the present system, if they are accustomed to the present system, they can continue to perform under it.

If this bill passes and becomes law, in a relatively short period of time in our history, 5 years at the maximum, we will know which system works best. We will know whether or not allowing our educators a far greater degree of freedom to set their own priorities is, in fact, the way to do it. We will be able to measure objectively, by the forms of accountability they are required to follow in order to get into Straight A's, whether or not it works.

I may go beyond that proposition to say, of course, Straight A's is not the only element in this bill that allows our local educators in our States to make more of the decisions that affect their children. There is a Performance Partnership Act in this bill that is a modification of Straight A's, supported by the National Governors' Association, an association through which many of the dramatic reforms in education over the last few years that are allowed by the Federal Government have, in fact, taken place.

That Performance Partnership Act does not have all of the flexibility Straight A's has, but it has a significant portion of it. All States under this bill will be allowed to take that more modest step toward making their own decisions than is available in Straight A's, which is only to 15 States.

Again, no State will be required to do so. What does that mean? That means there are at least three paths States can follow in this connection: 15 States can take Straight A's, a number of

other States can take the Performance Partnership Act, and a number of other States—and I am sure there will be some—will decide not to choose either of those alternatives.

Again, not only will our students learn more, we will learn more about the best way or perhaps more than one successful way toward our goal, a goal we all share, and that is a better education for our children.

The same thing is true for the Teacher Empowerment Act. The same thing is true with title I flexibility that is included in this bill. These are elective with the States and sometimes with the school districts themselves.

How is it we can be so certain that the present system is so good that we do not want anyone to use a different system? Have we been so overwhelmingly successful that we do not need to have this debate at all; that all we need to do is just reratify for another 5 years what we have been doing for the last 5 years? I do not think anyone believes that; everyone believes we can do better. But can't we at the very least allow people to do better in a different direction rather than simply saying, we have a whole bunch of programs now; all we need is more rules for the existing programs and a few new ones, added on to the dozens and hundreds we have at the present time that affect the education of our children from prekindergarten to and through the 12th grade?

Straight A's gives us the ability in some of the States to determine the accuracy of the statement that our parents, our teachers, our principals, our superintendents, and our school board members care deeply about the education of the kids admitted to their charge or in their families; that they are smart enough to make fundamental decisions about the course of that education; that we want an alternate way of reducing the gap between underprivileged children and those in more successful schools; that we have not been overwhelmingly successful—at all successful—in reducing that gap in the last 35 years, and that perhaps another way is better and at the very least we ought to compare it with the current way in which we do business.

We will hear during the course of this debate: No, we just need to do more of the same; if we can just do more of the same; it is just that we have not done enough of what we have been doing in the past; and no, we cannot allow some States to go off in a different direction from others; no, we cannot repose that degree of confidence in the people in our school districts all across the country; we dare not do it; this threatens to have this adverse consequence or that adverse consequence or a third adverse consequence.

I only ask my colleagues to reflect on the fact that this debate will be, for all practical purposes, identical to that debate over welfare reform of a few years ago, and if we had taken counsel of our fears then, this country would be far

worse off than it is today, when instead of taking counsel of our fears, we took counsel of our hopes and worked rationally toward those goals.

The attitudes that gave us welfare reform ought to give us this bill, including Straight A's, during the course of this debate and provide a better future for children all across the United States.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I wish to, if I may, ask my friend and colleague from Washington a question. If I understand this correctly, there are two essential provisions that he includes here. One is, in the 15-State block grant, the Senator prohibits the use of funds for vouchers to private schools; is this correct?

Mr. GORTON. Yes. I said I believe it did already, but this makes it more explicit. It simply keeps the present rules with respect to vouchers in effect.

Mr. KENNEDY. As the Senator knows, there are different provisions in the 50-State block grant than in the 15-State block grant. During the exchange in our committee, the principal proponent, Senator GREGG—and I am sure he will speak to it—indicated that he did not dismiss the use of those funds for private school vouchers.

Is the Senator from Washington saying—many of us have been critical of the overall program and the use of vouchers, that this is a block grant and voucher program—with this amendment, there would be the elimination of the language in the 15-State block grant that would have permitted the voucher program for private schools?

Mr. GORTON. Mr. President, that is not what I say. I do not believe it allowed it previously, but in any event, I think we have satisfied that criticism with respect to those who made it with respect to Straight A's. I do not think it allowed vouchers before. It clearly does not now.

Mr. KENNEDY. I appreciate the Senator's response. I hope the Senator will stay with me because usually when the proponent of a particular measure, such as Senator GREGG, says that it does and then another Senator says he reads the language that it does not—generally speaking, the members of our committee believed that it did, whether we agree with it or not, for the very significant reasons that the Senator from New Hampshire pointed out—so we want to understand now, once and for all, whether you believe it did or did not before.

Your understanding is that it eliminates the use of vouchers for the private school partnerships as part of your amendment?

Mr. GORTON. The amendment we have proposed essentially restates current law, where the use of Federal funds for vouchers is neither expressly provided for nor disallowed but intended upon the interpretation of current law by the Department of Education.

Mr. KENNEDY. Whatever the exchange is that we are having here between the Senator from Washington and myself—I know he is reluctant to somehow say now this is the effect of the amendment. It certainly is my understanding, and I think the other members of our committee would agree, that when it was proposed, very clearly—you can go back into the RECORD and see—this was the intent of the Senator from New Hampshire.

I may stand corrected by the one who put that in, that it was to be an allowable use of these funds to be used under the block grant program. They were going to consolidate the programs and then turn the funds over to the States, and then some would go down into the local communities. But one of the purposes that would have been legitimized for the first time was a voucher program for private schools.

On our side, we support the use of title I funds in terms of public school choice. But this was a departure from that. That is exactly the way we read it.

Under the Senator's amendment, the option of private school vouchers will not be there.

Secondly, in the 15-State demonstration block grant, you add a provision. Could the Senator tell me what the effect of the language for the 15-State block grant is, on line 5, on the "Achievement Gap Reductions"? What does the Senator intend to achieve by that language?

Mr. GORTON. The language is designed to require that there be a reduction of 10 percent over the 5-year period between the highest and the lowest performing students described in an earlier part of the act, which is basically title I.

Mr. KENNEDY. I am trying to understand. Exactly of what would the 10 percent reduction be? What is the Senator trying to drive at? As I understand it, the Senator is trying to deal with the provisions of the legislation that relates to accountability.

We have the overall State accountability. Then we have the 15-State block grant. The 15-State block grant is going to come under overall State accountability. The provisions of the overall legislation will apply.

Could the Senator please clarify? We can probably move to an early acceptance of the Senator's amendment, but I just want to understand exactly what it does and what it does not do. I have difficulty in seeing exactly what this really means in terms of the total accountability.

Does this change the overall State requirements that are spelled out on page 662, the "Failure To Meet Terms.—If at the end of the 5-year term of the performance agreement a State has not substantially met the performance goals . . ." Does this in any way change that?

Mr. GORTON. It makes it tougher.

Mr. KENNEDY. Can the Senator tell me exactly what are the penalties that

will be included in here if they do not achieve that?

Mr. GORTON. The penalties will be the same as they are in the original form of the bill; that is to say, if a State does not meet the commitments it made in getting into this 15-State Straight A's Program, it runs the risk, at the discretion of the Department of Education, of losing the ability to continue in that program. It would revert to the present system of categorical aid programs and the accountability provisions contained therein.

What this does is add another mandatory requirement to what the State undertakes, a 10-percent reduction in this differential. So it makes it somewhat tougher for the State to be entitled to continue in Straight A's after its initial 5-year period.

Mr. KENNEDY. The reason I ask this is, I say to the Senator, he is not in any way changing the "Failure To Meet Terms" that a State must meet. As I understand it, the Senator is amending a different section, and that is the 15-State block grant.

What we find out further, on page 662, is, "If a State has made no progress toward achieving," there will be certain reductions of funds. But that is when there is "no progress." On page 662 it is: "substantial progress". I do not see how your 10-percent over the 5-year period of the performance agreements really does very much.

Mr. GORTON. I say to the Senator, given the fact that in 35 years of title I we have not reduced it at all, a requirement to reduce it by 10 percent in 5 years is rather substantial.

Mr. KENNEDY. If the Senator would explain to me where—this is the controlling law. It states very clearly, on page 662, what the test is going to be. It talks about "agreement a State has not substantially met the performance. . . ." There is no definition of what "substantially met the performance" is. That has not changed by the Senator's addition. The penalty described on page 662 only applies when there is "no progress."

I fail to see how that does very much in terms of accountability. It does not stop at the end of 2 years.

Does the Senator's program have the requirement of a reduction of funds administratively at the end of 3 years, as the Democratic program does? It does not. Does it have a further reduction after 4 years? No, it does not. Does it have requirements that the State has to intervene; and that, if not, there could be the closing of a particular school if it does not achieve those kinds of reductions? It does not. The Democratic program does.

It is basically feel-good language.

I would recommend, if it is going to make the Senator from Washington feel good—and evidently is going to make others on that side feel good—that we are not going to be able to use vouchers for private schools, we have been maintaining that block grants are blank checks for States. We have

talked about, this Republican proposal is going to provide vouchers for private schools, and we have been told: Oh, no, that isn't so. We have some of our Republican friends saying: Oh, no, that was not even intended for part of it. We had the proponent of the amendment saying that was so. Now the Senator from Washington wants to eliminate that. Well, I certainly would urge our colleagues to support that.

Mr. GORTON. I thank the Senator.

Mr. KENNEDY. I see some colleagues here who might want to address this issue. The way I see it is that this language, as the Senator has pointed out, would effectively reduce the block grant.

I would say, just out of comity, since this language was prepared by the Senator from New Hampshire, could the Senator indicate to me whether he is supporting this program—just out of comity, since it is directly related to his language?

Mr. GORTON. I am not sure what the question is.

Mr. KENNEDY. The question is, since this is the amendment of the Senator from New Hampshire, has the Senator inquired if the Senator from New Hampshire supports him?

Mr. GORTON. The Senator from New Hampshire joins me.

Mr. KENNEDY. He joins you. That is interesting. He gave me a different interpretation. I appreciate that.

Mr. President, I think it is basically very weak language.

On page 662 of the legislation, in relation to the States, it does not have any penalty. And, furthermore, you have to wait 5 years to find out whether there is going to be any progress made.

I think families in this country want progress now. They want accountability now. They want guarantees now. Under our bill, that process of accountability begins in the second year, third year, fourth year, fifth year; and it builds in terms of accountability, in terms of the requirements of the States to help those particular communities, which is not being done today.

Does the Senate understand that it is not being done today? We have the most recent surveys done by the Department of Education that polls underserved title I communities. According to the surveys, more than half of the Title I communities have said that when they have asked the States to help them, they have gotten virtually no response whatsoever. This is very weak accountability. I will be glad to recommend that we move ahead and accept this amendment and then get to the Democratic alternative so that the Members of the Senate and the American people will understand and be able to compare and contrast the accountability provisions because this is still woefully inadequate and woefully weak.

Mrs. MURRAY. Will the Senator yield for a question?

Mr. KENNEDY. Yes, I am glad to yield.

Mrs. MURRAY. The Senator from Massachusetts and I both sit on the Labor Committee, which went through the entire progress of this issue. I came to the floor and was trying to understand what the amendment actually accomplishes. Does the Senator recall that during the committee hearing we asked the author of the amendment specifically if funds could be used for private schools, and his response to us was yes?

Mr. KENNEDY. Yes, that is absolutely my recollection of it.

Mrs. MURRAY. And that the portability for title I could also be used for private schools.

Mr. KENNEDY. The Senator is correct. If the Senator will permit, does the Senator's language affect the portability provisions?

Mr. GORTON. It affects only the Straight A's title of this bill at this point.

Mr. KENNEDY. That's fine. He has indicated we could not use vouchers for private schools. Now we are asking, "Are you going to be able to use funds for private school vouchers under the portability provision?" Under the portability provision, there is every indication that you could use funds for private schools and religious schools as well. I am trying to understand whether we are addressing both of these concerns or just part of them.

Mr. GORTON. That question would be more properly directed to the Senator from New Hampshire who, I may say, I think disagrees with the Senator from Massachusetts as to his interpretation of the provisions of the Senator from New Hampshire. This provision, the 10 percent, applies to the Straight A's provision of the bill which, in turn, allows 15 States to have that degree of flexibility. It is very easy to talk about accountability from the point of view of punishing States and school districts by taking money away from them so that will increase, somehow or another, their performance. Part of our bill, in my view, is that the States who succeed will get a bonus, which is not included in the Democratic bill or in any previous education bill.

Mrs. MURRAY. If the Senator will yield further, does the Senator understand, as I do, that this amendment would not apply to title I portability? And we, again, asked the author of this amendment in committee if the title I portability funds could be used for private education institutions, and his answer was yes. This amendment doesn't fix that. I am glad it fixes the first part of it, but it doesn't—and the Senator can respond—fix the portability.

Mr. KENNEDY. I appreciate the Senator's attention to this matter because it shows something enormously interesting that is happening here. On one hand, this amendment addresses the issue of voucher programs for private schools under the 15-State block grant program. On the other, it doesn't affect private school vouchers that are permissible under the title I portability

program. It seems to me that if you are going to fix it in one program, you ought to fix it in both.

If you look at the portability provisions on page 127, it states:

... an eligible child, for which a per pupil amount shall be used for supplemental education services for the eligible child that are (A) subject to subparagraph (B)—

And this deals with the portability provisions—

provided by the school directly or through the provisions of supplemental education services with any governmental or non-governmental agency, school, postsecondary educational institution, or other entity, including a private organization or business

So you are striking one section, but leaving the other section. Well, that will have to remain there until we address that in our alternative. I, for one, want to move ahead in the debate on this, and I would be glad to urge acceptance of this amendment.

Mrs. MURRAY. If the Senator will yield for one other point, because I have continually heard that with title I funds, for over 35 years kids have not increased their abilities, and test scores don't show that, it is my understanding that we test title I students, or analyze their performances, and as kids do better, they move out of the program. So each year, we have new kids coming into the program who need the extra services for reading, writing, and basic instruction. So we are not testing the same kids year after year. When we hear the comments that student achievement has not increased under title I, we essentially haven't been testing the same group of students, and we cannot show that because they have moved out and we are testing new kids. Am I correct?

Mr. KENNEDY. The Senator is entirely correct. It is one of those important facts that one has to understand in order to be able to respond to those who say, look, there hasn't been any change for 2 or 3 years. We can demonstrate there has been academic progress made in terms of classes in a number of areas.

Mrs. MURRAY. I thank the Senator from Massachusetts. I don't think any of us disagree with the goal of reducing by 10 percent over 5 years the term of performance agreements—the difference between the highest and lowest achieving students. But I think to rhetorically say that we can do it through a test is very difficult. I think we all want students to achieve better. Here on the Democratic side, we believe that by providing high-quality teachers and class sizes that are reduced, where a teacher has time to teach math and English, where we are in classrooms and where students can actually learn and they are not there in overcoats because there is no heating, or there are holes in the roof, and that we continue to put Federal resources into programs that have been shown to work those achievement gaps will decrease. I hope our colleagues understand this as we move forward. I thank the Senator from Massachusetts for yielding.

Mr. KENNEDY. Mr. President, we are prepared to accept the amendment.

Mr. GORTON. Mr. President, I am going to ask for a rollcall vote on my amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second.

There is a sufficient second.

The yeas and nays were ordered.

Mr. GORTON. There are Members on our side who wish to speak to that amendment, I hope, with the consent of the manager of the bill because we are debating education as a whole. We would be happy to allow the Senator from Massachusetts to propose the Democratic alternative now, and we can debate them jointly for the balance of the time in the time available. Any time the Senator from Massachusetts wishes to introduce an amendment, there will be no objection on this side to allowing that.

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

Mr. GREGG. Mr. President, there have been a number of representations that have been inaccurate from the other side, and I regret that. I think that maybe they are concerned that the substance of this bill works so well, they have to mischaracterize the actual process in order to attack it. The representation that there are voucher proposals in this bill is inaccurate. The senior Senator from Washington has offered an amendment which would make this absolutely clear. He put the status of the Straight A's proposal in this bill in the same position as the present law under the ESEA of 1965, which law does not limit the ability to use the funds for public entities. So that law, as viewed, is a chilling event on school systems from using it for private entities which would create the voucher issue.

The amendment of the senior Senator from Washington clarifies that point, which was a point raised in committee and which was the language reported out of committee. If a State such as Florida has a private voucher system—I guess the issue now is whether they have one or not—those funds can be used in this manner. But as a practical matter, what the Senator from Washington is making clear is that they can't—that they will be subject to the chilling event that presently exists for any title I money. That chilling event has basically made it virtually impossible for vouchers to be used by any State. This was the concern of the Senator from Maine.

That is why I have agreed wholeheartedly with the amendment of the Senator from Washington, as I believe we should not allow the bogeyman vouchers—it has been used as a bogeyman by the other side—to be used to try to undermine what is a really good idea, which is the concept of Straight A's.

The basic theme of Straight A's doesn't need vouchers in order to work

well, and we don't have to get in the voucher debate in order for Straight A's to work well. I am perfectly happy to have the voucher issue taken off the table. I don't think it was really on the table to begin with because I don't think many States have a system to make it available. But even if it was on the table, the Senator from Washington is taking it off the table.

I heard about this attempt this morning from a number of people on a couple of talk shows. Representatives of the educational lobby are here in Washington in full charge against any idea of changing the status quo because they basically are the beneficiaries of the status quo. They are also trying to use the term "vouchers" to stigmatize this piece of legislation, which I suppose is the defense of folks who really can't defend their positions in opposition to this language on substance.

The fact is that Straight A's, as put forward, is an optional program. It is up to each State whether they want to pursue it.

If a State pursues Straight A's, the achievement obligations in the area of increasing the educational success of our low-income children is very strict. Straight A's is an attempt to give low-income children a better education and to require that better education actually be proved to have occurred, something that has not happened under title I over the last 35 years after \$130 billion has been spent.

Also, one of the Senators came out and said it is also about portability. There is no voucher program for portability. Portability is not a voucher program. All the money under portability stays with the public school systems. The public school systems write the check. The public school systems control the dollars.

This is once again a bogeyman attempt to try to mischaracterize the bill and, as a result of using mischaracterization, to try to, therefore, tune up opposition to it.

I think we ought to stick to the substance of the actual language versus those types of presentations which I don't think are constructive to the debate.

I yield to the Senator from Georgia.

Mr. COVERDELL. Just a clarification: I thought I distinctly understood the Senator from Washington comment that it was represented in committee that portability was indeed a voucher.

Mr. GREGG. No. Under no circumstance was portability ever represented as a voucher, or ever represented as a voucher in committee. What I said was Straight A's could have been used by a State to qualify that it had set up a voucher program such as Florida had. Yes, in those instances Straight A's could have been used. The Senator from Washington was making it very clear that is not going to happen.

Mr. COVERDELL. I thank the Senator.

Mr. GREGG. I yield to the Senator from Maine for a question.

The PRESIDING OFFICER. Will the Senators suspend for a second.

The Senator from New Hampshire has the floor. Does he yield for a question?

Mr. GREGG. Yes. I yield to the Senator from Maine for a question.

Ms. COLLINS. Thank you, Mr. President. I thank the Senator for yielding for a question.

I thank the Senator from New Hampshire and the Senator from Washington State for their terrific, truly extraordinary leadership on this entire bill.

As the Senator from New Hampshire knows, the issue of whether or not Straight A's authorizes Federal funds for private school vouchers was most important to me. I have worked with him and with the Senator from Washington. Indeed, I am the author of the provisions in the Gorton amendment which makes it crystal clear that Federal funds could not be used for vouchers under the Straight A's proposal.

Will the Senator from New Hampshire agree with me that while there is nothing in this legislation that prohibits a State from using also its own funds for some sort of voucher proposal, that the Gorton amendment now makes clear that Federal funds under the Straight A's proposal could not be used for private school vouchers?

Mr. GREGG. It makes that as clear as it is under present law relative to other title I moneys.

Ms. COLLINS. I thank the Senator from New Hampshire for his clarification on this.

Mr. GREGG. I yield the floor.

Ms. COLLINS. I ask to be a cosponsor of the Gorton amendment. I am pleased to have contributed to it in this area in clarifying the law since I think it was ambiguous as to whether we were changing current law, and that ambiguity has now been eliminated.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, we can talk about this all we like, but I draw attention—and I congratulate the Senator from Maine—to the additional views of Senator COLLINS, which say, I am opposed to using Federal funds for private school vouchers. I believe the language about academic achievement for all programs must be modified to prevent having diversion of Federal funds to private schools.

That is exactly our position.

The Senator from Washington can deny that is his understanding, and the Senator from New Hampshire said this isn't really a voucher debate. It isn't just on our side, it is on their side too.

I am glad the position of the Senator from Maine has prevailed on this issue.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I congratulate the Senator from Maine also for working on this issue.

My amendment, I think, fixes one problem with which many of us were concerned. However, regarding the title

I portability funds in the bill, I am reading the language of the bill on page 127. It says:

Subparagraph (b): Provided by the schools directly or through the provision of supplemental education services with any governmental or nongovernmental agency, school, post-secondary educational institution, or other entity, including a private organization or business.

The language in the bill allows title I portability funds to go to a public or private school.

In committee, we asked if it could go to a private school. We didn't use the word "vouchers." We said: Could this portability money go to a private school? The answer is yes. That is what the language does. The amendment before us fixes the Straight A's question, but it does not fix title I portability.

Mr. GREGG. If the Senator will yield for a question, is the Senator aware that under title I, if a public school wishes to contract with a private entity, such as a Sylvan Learning Center, it can do that?

Mrs. MURRAY. Yes. But the school is in control of those funds.

Mr. GREGG. Is the Senator aware that under this proposal the dollars will still flow through the public school if it goes to a Sylvan Learning Center?

Mrs. MURRAY. Under title I portability provisions that are in the bill before us, it will allow families to take the title I funds they receive to any institution, school, or private—I just read all of it. They can choose.

Mr. GREGG. No. The Senator is incorrect in her characterization. The family does not have possession of the funds. The funds go to the public school. The public school, at the request of the family, may then and should then take the money and use it to support that child in an additional learning activity. In other words, the child has to go to the public school. The child cannot go to a private school under portability and use funds for the purpose of going to a private school. The child must attend the public school. If they decide to do so under the plan as presented to the Secretary of Education, under their portability plan as designed by the public school system, the public school may use those dollars as it does today for the purpose of giving additional support to the low-income child in assisted learning.

Mrs. MURRAY. I reclaim my time.

Mr. GREGG. If the Senator doesn't want me to clarify the point.

Mrs. MURRAY. The Senator from New Hampshire has made a statement and I am looking at the language of the bill. It says.

(B) if directed by the parent of an eligible child, provided by the school or local educational agency through a school-based program . . . that a parent directs that the services be provided through a tutorial assistance provided.

It is not directed by the school but directed by the parent.

I think that is one of the underlying flaws and concerns we have. As a

former school board member, I do not know how a school district is going to manage this when parents come to the school indicating they have the right to this money, and you figure, as a school, how you do your accounting, how you determine whether that child actually gets the money, how you hire teachers. And, frankly, the parent is in control. It is very clear in the language of this bill.

The Senator from New Hampshire made a very specific case that he thought it was the school. If the language reflected that, I would believe it. But the language says very clearly that the parent can take their title I money and take it to another school. We interpret that, and everyone else will, as private or public because it is not defined as public.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. I regret the Senator will not yield to debate this issue in a forum-like manner. Let me answer the question on my own time because I guess the Senator isn't making her point because she recognizes her point is inaccurate.

If the language is as they stated, the school has the control over the dollars. The parent has the right to direct the school to pursue an assisted learning activity. But the child is in the public school and the public school controls the dollars for that assisted learning activity.

The only difference between the present law and what this does relative to that assisted learning activity, in this case the parent gets involved. Under present law, the parent is not involved in the assisted learning activity. If they want to bring in the Sylvan Learning Center or any tutorial service to help the low-income child, they can do that, but the parent does not have the right to say do it or not do it. Under this proposal, the parent has the right to say, yes, please send my child to an assisted learning facility.

The school, however, has the right to say they don't think that an assisted learning activity qualifies as being a quality educational activity and is applicable to this child's needs. If the school overrules it because they say that the assisted learning activity is not a qualified activity, then the parent can't direct the funds to go in that area.

Essentially, what we are proposing is a system which already exists in Arizona—in fact, I think Seattle may have some form of this system—where parents actually get involved in the process of educating low-income kids. Parents actually have something to say about it.

We all know from history and from study after study after study that pertinent for improving the quality of education of the child is parental involvement. We also know that the single biggest problem we have with low-income children is the fact that par-

ents are not involved. This is an opportunity to draw the parent into the process and have the parent have a role in the process. That is very important.

Equally important, this is an opportunity to make sure the dollars actually benefit the low-income child. Under the present law, there are lots of low-income children who don't get any benefit from the title I dollars, which are low-income dollars theoretically. Why is that? Because if a school does not have a threshold number of children, does not have the 35 percent, or in some States it is up to 65 percent of the kids in the school who qualify as low income, in other words, kids who meet the School Lunch Program, then no dollars go to that school.

If you are a low-income child attending a school where you don't have 35 percent of the other kids in the school as low-income children, you don't get any title I assistance. Does that make any sense? Of course, it doesn't make any sense.

We are saying, instead of having the dollars go to the school systems and to the administration and to the bureaucracy, let's have the dollars follow the child. Let's have the dollars actually follow the child to different public schools so every child who is a low-income child actually gets funded, actually gets dollars benefiting that child.

That is a pretty good idea because that means we are actually going to point the dollars at the kids who we allegedly are trying to help, the low-income kids. The dollars never leave the public school system in the sense that all dollars must go to the public school. In other words, the parent does not have the control over those dollars. He doesn't get a check.

If John Jones goes to public school A, the dollars go to public school A. If the parent says they don't think public school A is doing the best job for their child, and then moves John Jones to public school B, the dollars go to public school B. When John Jones gets to public school B, if the parent says they think John Jones needs some assisted learning outside of his schoolday—remember, his whole schoolday is dominated by the public school system and he cannot go to a private school with these dollars—then the dollars go to the assisted learning to the extent it is required in order to pay for that assisted learning subject to the public school system, and subject to the public school system saying that the assisted learning is actually something that is qualified and will do the job as they deem it appropriate, recognizing that under present law we already allow this to occur. We allow assisted learning which is a private activity.

To characterize this as a voucher is an inexcusable attempt to try to stigmatize this with a term that is being used for the purposes of creating an irrational response from folks, especially teachers and the educational community. It is simply hyperbole for the purposes of trying to beat this for political

reasons. It is not a substantive or an accurate response to what this proposal involves.

Remember, this proposal—whether it is portability or whether it is the Senator from Washington's Straight A's proposal—is an option. No State has to pursue this. No community has to use this. If they decide to pursue this, if the State decides it wants to use portability, it is the educational community in that State that has come together, that has thought about the issue, that has said: Title I isn't working in its presents form; let's try a portability initiative.

It will be the educators who write the portability initiative in the State and who apply for it. They will have the say in how it is structured. They don't have to do it if they don't want to do it.

If the State of New Hampshire decides they like the way they are doing title I, they don't care about trying this new idea of portability or this Straight A's idea, they can walk away from the proposal. They don't have to do it. They can keep the law the way it is.

Why is there such fear on the other side of the aisle of putting on the table a bunch of different options, having a cafeteria line that States and communities can go through? I don't understand it. They have been stratified, iced into the status quo, petrified into the status quo to the point they are not willing to adjust in any way or give the States any opportunity for adjustment. It is regrettable. It is regrettable because it means we basically, as we know for 35 years, are locking our low-income kids into generation after generation of failure. We know for a fact our low-income kids simply have not achieved. We ought to try some other ideas. We ought to let our States try some other ideas.

There are a lot of States out there that want to try other ideas, and we should not lock them out of that opportunity with Federal dollars.

I yield the floor.

The PRESIDING OFFICER. The distinguished minority leader.

Mr. DASCHLE. Mr. President, I have not had the opportunity to participate in this debate over the last couple of days. This is the first chance I have had. I would like to make a statement, and at the end of my statement I will be introducing the Democratic substitute which, under the agreed-upon order, will be the second amendment to be considered during the debate on this legislation.

I think, as everyone has already noted, this is an important debate for a lot of reasons. The Elementary and Secondary Education Act is truly the blueprint that guides all Federal education policy from prekindergarten through high school. So this is the big one. This is the one that really counts when it comes to the Federal policy framework under which we will work for the next 6 years. Every 5 or 6 years,

Congress has the responsibility to do what we are doing now, to decide what is working, to fix what is not.

In the past, this debate on ESEA has always been vigorous, but it has always been bipartisan. In the end, the votes have always been bipartisan. Unfortunately, that is not the way things have shaped up so far this year.

Two months ago, Republican leaders in the Senate stunned us by announcing that they were abandoning efforts to develop the bipartisan approach we have used now for 35 years. Instead, they put forward legislation so sharply partisan that even the Republican chair voted "present" on two major Republican amendments in committee.

The truth is, this bill does not redefine the Federal role in education, it abandons it. It essentially repeals the role of the Federal Government in education. Instead of targeting Federal education dollars where they can do the most good, the bill takes money from Federal education programs and puts it in block grants. All the Federal Government would do is sign blank checks. Governors and State legislators would decide how the money is spent. Block grants eliminate any guarantee the funds will be spent where they are most needed or on reforms that are most effective.

Our Republican colleagues claim to hold States accountable for the results. They require states to have a plan in this legislation, but in that plan the State sets their own performance goals and the goals be based on State averages. If children from well-off families made all the gains, that would be good enough. This bill does nothing to make sure the children in disadvantaged communities have access to good teachers and strong academic programs.

If States fail to achieve their goals, nothing happens for 5 years. After 5 years, the only penalty for failure to comply is that a State cannot participate in the block grant program for the next year.

It is also ironic that they are claiming to "do something new." What new suggestion they are proposing is to take the block grant idea that goes all the way back, at least to 1981, to repeat it again now in the year 2000. That is their new idea. They take an idea that was proposed and passed in 1981, to convert several Federal education programs into a block grant, and to do now what we did then.

It is important, as my Democratic colleagues have noted, to look at what has happened to that new idea back in 1981. Since then, the funding for that new idea, funding for that blank check, that block grant, has been cut in half, largely because it is difficult to advocate for a blank check.

Republicans have made clear their highest priority is enacting huge tax cuts. Those irresponsible policies would leave absolutely no room for critical investments in education. So this cutting in half of the blank check might fit that scenario.

Perhaps we should not be so surprised at their interest in creating new education block grants. This new, revolutionary reform idea of the year 2000, similar to the one in 1981 might be the design: Let's create a block grant, let's sign a blank check, let's cut that blank check in half in 20 years, and let's provide more in tax cuts. What we need is a bipartisan commitment to maintain the national commitment to education and invest in solutions that we know work.

One of our great leaders in South Dakota history has been the Indian leader Sitting Bull. More than a century ago, he actually came to Washington and noted in a speech to policymakers at the time that if we put our minds together and see what life can make for our children, we will all be the beneficiaries.

Today, we make that same request of all of our colleagues. For the sake of our children, let's put aside these extraordinary partisan differences, put our minds together, and see what we can do for our children's future. That, in essence, is what Democrats are providing with this comprehensive plan to improve America's public schools. Our entire caucus has worked hard on this plan. I am very gratified that our entire caucus supports it.

Our plan is a substitute for the Republican block grant proposal that is now on the Senate floor. It actually includes many pieces of the bipartisan plan our Republican colleagues abandoned in March. It is not a blank check. It sets high standards for students and teachers. It gives communities the resources and tools to meet those standards. It holds them accountable for results. It targets Federal education dollars where they will do the most good.

We do this by helping communities reduce class size, by recruiting and training qualified teachers, by helping to rebuild and replace overcrowded and crumbling schools and helping close the digital divide so all children can compete in the new economy, and by strengthening parents' involvement in their children's education, through report cards and other information, so they can hold schools accountable.

It also helps create opportunities for safe before- and afterschool programs where children can receive responsible adult supervision. It is troubling to many of us that every afternoon in America, 5 million kids go home after school to empty houses while their parents sit at work and worry about their safety. Our Democratic colleagues believe we can do better than that.

Improving public education must be our top priority.

State and local governments clearly have the responsibility for funding and running our Nation's public school programs. Federal programs should be the catalyst for change. We need to focus our efforts on fundamental changes that work to make sure every child has the opportunity to learn.

We took important steps in 1994 by requiring States to set high standards for learning and to assess student performance, and we are starting already to see some results in some areas, as some of my colleagues have noted.

Student performance is rising in reading, math, and science. Why? Because we took action in 1994.

SAT scores are rising. Why? Because we took action in 1994. Why? Because the Federal Government created the incentives. Why? Because we have been the catalyst to move these programs in the right direction.

More students are taking rigorous courses and doing better in them. The percentage of students taking biology, chemistry, and physics has doubled. Why? Because we took action in 1994. Why? Because the Federal Government has been directly involved, not in decisionmaking but in incentivizing.

More students are passing AP exams. Fewer students are dropping out. Why? Because we took action.

What we are saying now is that it is time for us to continue to build on those success stories at the national level that worked then, that are working now, and that provide us with the opportunity to do even more.

There is much more to do. Not all schools and not all students are reaching their potential. The achievement gap between rich and poor, between whites and minorities, is unacceptable. Students from disadvantaged communities have significantly less access today to technology. We cannot afford to leave any child behind, and we have to do better.

Schools face many challenges that must be addressed if all students are challenged to achieve high standards. School enrollments are at record levels and continuing to rise. A large part of the teaching corps is getting ready to retire.

Diversity is increasing, bringing new languages and cultures into the classroom.

Family structures are changing. More women are in the workplace creating the need for quality afterschool and summer school activities.

We are learning how important good development in early childhood is in determining success in school.

The importance of higher education has never been greater. Our public schools need to make sure that all students are prepared to continue to learn in college or in technical training or on the job.

These are national changes, and the Federal Government, as we have been, must be a partner in addressing them.

My State of South Dakota has many small rural school districts. These schools face a particular set of challenges and limited resources to address them. Many have a hard time attracting qualified teachers, and teachers often have to teach more than one subject. Course offerings may be limited. Because students can come from long distances, many rural schools have high

high transportation costs. In many rural communities, the tax base is actually shrinking. The crisis in the farm economy is making it difficult to modernize schools and meet all of these student needs.

Federal resources are important for these schools, but they do not even get enough funding to make effective programs in the first place.

The Democratic alternative includes a provision to provide supplemental payments to qualifying rural schools that they can use to hire and train teachers, reduce class size, improve school safety, and upgrade technology.

For more than 50 years, and going all the way back prior to that period 50 years ago when the first baby boomers were born, our parents committed themselves to the most ambitious school construction program in our Nation's history. They had just fought the Second World War, and they could have said: We have sacrificed enough for a while. We fought the war; we won the war. Now it is somebody else's responsibility.

Instead, they said: We love this country; we love our children; we want them to have at least as good a life as we have had, and we are willing to work to give them that chance.

Most of us who now serve in Congress attended those schools. We have benefited greatly from the decisions and sacrifices they made. The question facing us now is pretty simple, but awfully important: Are we willing to give our own children, are we willing to give our own grandchildren, the same chance we were given? Are we willing to work with each other, with parents, teachers, and community and business leaders to strengthen our schools? Or are we going to turn our backs?

The answer to that question is going to be decided in part by the decisions we make over the next several days on the education bill and, frankly, on this amendment.

If one visits London, they will see the work of Christopher Wren everywhere. He was the 17th century architect whose work defines London's skyline today. He built 51 churches. He built palaces, hospitals, and libraries. His most famous work, of course, is St. Paul's Cathedral. If one goes to the crypt at St. Paul's and looks hard, he will see a small black stone marking the architect's final resting place. It is written in Latin. It simply says: If you seek his monument, look around.

The blueprint we are drafting today is like a cathedral. It is like a blueprint that will help shape our children's education and, thus, their future. If we do it well, it will inspire them to find the best in themselves.

The monuments we are creating are for our children, and we need to ask ourselves what will our monuments say about us and what we value.

Twelve years ago, America's Governors were able to do just that. All 50 Governors, Republicans and Democrats, agreed on eight national goals:

No. 1, all children will start school ready to learn.

No. 2, graduation rates will increase by 90 percent.

No. 3, all children will demonstrate competency in challenging subject matter.

No. 4, teachers will have access to programs to improve their professional skills.

No. 5, U.S. students will be first in the world in math and science achievement.

No. 6, every American adult will be literate.

No. 7, every school will be disciplined, safe, and drug free.

And finally, No. 8, every school will promote parental involvement and participation.

In a few weeks, the children who were in the first grade when those goals were written will graduate from high school. Children grow up quickly. Instead of abandoning our Federal commitment to education, we need to work together to build that monument so one day we, too, can say: If you want to see what this great country did on education, look around. If you want to see how good we are, go into the schools where eight goals were pronounced and now are reality. If you want to see whether or not we as Senators have succeeded and achieved our goals representing the great legacy left to us by others, look around.

Let us do this right. Let us pass good comprehensive elementary and secondary education today so that we can provide the kind of incentive, the kind of commitment, the kind of investments, the kind of direct, responsible approach that is so warranted if, indeed, we say that our children are important and our future is really what it is all about.

AMENDMENT NO. 3111

Mr. DASCHLE. Mr. President, I ask unanimous consent that the pending Gorton amendment be laid aside, and that I be permitted to call up my amendment, which is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. DASCHLE] proposes an amendment numbered 3111.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor today to thank our minority leader, Senator TOM DASCHLE, for the tremendous effort he has made in helping us craft the Democratic alternative to the underlying bill that we are considering today, the Elementary

and Secondary Education Act. This amendment the minority leader has put forward is going to make very important corrections to the Republican bill that will help all students in this country and their schools get the help they really need.

On Monday on the Senate floor, I, along with a lot of my colleagues on this side, outlined the many ways that this Republican bill is going to hurt our students. I outlined our positive agenda that will help all students reach their potential by investing in the things we know work.

Today, I have come back to the Senate floor to support this alternative which sets the right priorities for our students. This is a positive agenda for making improvements to the role the Federal Government plays in helping our local districts provide education.

Across this country, schools are making remarkable progress, but none of us can remain satisfied with the status quo.

As Americans, we believe every child should be able to meet high standards and reach his or her full potential. This debate in this Senate is our chance—our only chance, perhaps in 6 years—to make sure every child has the tools to succeed.

As a parent, as someone who has fought for our students on the PTA, as a school board member, I have seen what works in our schools. Parents and educators have told me we need to invest in smaller class sizes. We need to invest in teacher quality. We need to help to have more parental involvement in our schools. We need to invest in safe and modern schools for all of our kids. Those are proven strategies that are transforming schools across the country. We should invest in those powerful approaches.

Unfortunately, the Republican proposal before us goes in the exact opposite direction. Instead of making a commitment to what works, and to what we know works, it experiments with things that have no record of producing results for students.

Today, surprisingly, the Federal Government only provides 7 percent of all education funding. But those dollars are very importantly targeted to help America's most vulnerable students meet their critical needs. It is a responsible, accountable way to meet the needs in America's classrooms.

The Republican approach would take the things that are working and turn them into a block grant. Their block grant does not go to the classroom. It goes to State legislatures and adds a new layer of bureaucracy between the education dollars and the students who are so important.

The Republican approach puts all of its faith in block grants. I am here to tell you that students will lose out because, as I have said before, a block grant cannot teach a single child to read. A block grant cannot teach a single child the basics. But investing in teacher quality and reducing our class

sizes can help teach children the basics. That is what we should be doing in the Senate.

The Republican block grant proposal is a reckless, giant step backwards. First of all, the Republican bill is going to hurt disadvantaged students. Today, education dollars are targeted at the Federal level to America's most vulnerable students, ensuring that children who are homeless or children of migrant workers get the resources they need. They travel from school to school, from State to State; and we need to make sure, no matter what school or State they are in, they get the help they need. Under block grants, there would be no assurance that the education dollars intended for these very vulnerable students will actually go to those vulnerable students.

Educationally disadvantaged students have very few advocates. Believe me, as a former school board member, I know they do not show up at school board meetings. They do not show up in State legislatures. They certainly do not travel here to the Congress to stand up for the programs that serve their children. We have the responsibility to do that for them. By eliminating the targeting that helps poor students, block grants would simply cut the lifelines that run to disadvantaged students. We cannot let that happen.

Secondly, block grants reduce accountability. Under block grants, we do not know where our tax dollars are going. We will not know if that money is being used for critical needs. We will not know if public taxpayer dollars are staying in our public schools.

Block grants have little or no accountability for student achievement. In this bill, we let 3 to 5 years pass before any accountability kicks in. We are going to lose kids in that amount of time. The Republican bill simply is a 3-year experiment that breaks our commitment to the things we know work, and it risks having students fall behind. Under the current bill, block grants would even allow public taxpayer dollars to be used for private schools.

The amendment that was previously offered supposedly fixes that, but it does not fix the fact that, under the title I portability requirements, public tax dollars will still be able to be used in private schools.

Finally, block grants mean less money for the classroom. Pure and simple, block grants will mean less money from the Federal Government to our classrooms.

By the way, block grants are not new. They do have a history here. That history shows us, very clearly, that when a specific program is turned into a block grant, inevitably the funding will get cut.

For example, an education program that we call title VI, which funds innovative education efforts, was turned into a block grant in 1982. Guess what happened between 1982 and 1999. The

funding for that program was cut in half.

The effects of putting our education budget today into a block grant would be felt in every school across this country. We would see more overcrowded classrooms with fewer resources dedicated to improving teacher quality. That will be the result of block grants.

The Republican agenda is made up of block grants and vouchers, cutting lifelines to vulnerable students, having less money for our classrooms, and less accountability for taxpayers.

There is no reason to experiment with block grants and risk leaving students behind. We know how to improve education, and we should be doing that on the Senate floor. That is why I support the Democratic alternative that is now before the Senate.

We believe we must keep our commitment to vulnerable students. We believe we should keep our schools accountable. We believe we should not let block grants shortchange students. That is why we are fighting these block grants and standing up for the strategies that make a positive difference in the classroom. That is why we are working very hard to pass this Democratic alternative.

This alternative makes a real commitment to reducing classroom overcrowding. It keeps our commitment to help local school districts hire 100,000 new teachers to reduce classroom overcrowding, an approach that we know works—parents know it works, teachers know it works. Studies are showing that reducing class size in the first, second, and third grades makes a difference in our student's ability to read, to write, and to reduce discipline problems in our classrooms. That is in the Democratic alternative.

Over the past 2 years, Congress has provided more than \$2.5 billion for the specific purpose of recruiting, hiring, and training teachers to reduce class size. Unfortunately, the underlying Republican bill walks away from that commitment. The Democratic substitute will authorize the Class Size Reduction Program, and provide \$1.75 billion to help districts hire new, fully qualified teachers.

In addition to keeping that commitment, this alternative will address the need for a qualified teacher in every classroom. I assure you, when they send their child off to school on the first day of school in September, every parent wants to know two things: how many kids are in their classroom, and who is their teacher?

Why do parents ask those questions? Because they know if their child is in a classroom that is small enough, where they get individual attention, and if they have the best teacher, that child is going to learn.

We want to make sure every child has a qualified teacher in their classroom. This Democratic alternative makes a move in the right direction.

The amendment will hold schools accountable for better student perform-

ance. It will expand and strengthen afterschool opportunities for students, which Senator BOXER has been so strong on, knowing that it makes a difference in the educational lives of thousands of students across this country.

We will repair and modernize America's aging schools. I can't tell you how many times I have been in a school where we have seen kids with coats on because the heat didn't work, where water was dripping through the classrooms, where they were in portables. We send first, second, and third graders out across schools to use restrooms because there isn't any running water in their building. We believe our children can learn if we pay attention to what they are learning in.

Our underlying Democratic alternative increases parental involvement. Every parent knows intuitively if they participate with their child in their school, their child will learn better. We make sure that happens in the Democratic alternative.

Finally, we work to close the digital divide. As Senator MIKULSKI so eloquently speaks about, we have to make sure every child is on the right side of the digital divide. This Democratic alternative makes that happen.

I urge my colleagues to support this alternative. Clearly, the Republican proposal before us will leave students behind. By passing this amendment, we will show parents, teachers, and students across the country that we understand the challenges they face, and that we are going to be good partners at the Federal level to make sure all of our kids, no matter who they are or from where they come, will have the opportunity to reach their full potential.

I yield the floor.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from Tennessee is recognized.

Mr. FRIST. Mr. President, I rise in opposition to the Democratic alternative because I believe it inadequately addresses the issues and the things which we feel so strongly about—flexibility, innovation, and creativity at the local level; strong accountability; a child-centered education program, focusing on the child, not the system in Washington DC; flexibility, accountability, high standards, and, again, child-centeredness.

We have an opportunity, over the course of the next several days, to continue to build on themes that we debated, I believe, very effectively, last year on the Education Flexibility Partnership Act—Ed-Flex, as it came to be known. Ed-Flex was a bill that was signed by the President, which stresses flexibility, accountability, local control, and stripping away the Washington redtape. Over the last several days, we have heard statistics quoted again and again about how we are doing better in education today and citing new programs that have been introduced and new money spent in the

traditional old ways, to explain that we are doing better.

I think it is absolutely critical that we in this body and people around the United States recognize we are not doing better. American 12th graders rank 19th out of 21 industrialized countries in mathematics achievement. In science, my own field—remember, math and science serve so much as the foundation of what is going to occur in our economy, in job creation and global competitiveness, as we work to the future. In science, we are not 1st, or 5th, or 10th, or 15th in the world; we are 16th out of 21 nations. If you look at physics or advanced physics, we are dead last when we compare ourselves to other nations.

If we look at 12th graders, those people you would think were best positioned to enter the world of this new economy, since 1983 over 10 million Americans reached the 12th grade without having learned to read at a basic level. Over 20 million have reached their senior year unable to do basic math. We have heard that in the fourth grade—although we have made slight improvements—77 percent of children in urban, high-poverty schools are reading below the basic level on the National Assessment of Educational Progress.

So as we hear the debate unfold, basically saying that progress is being made, this is the foundation, these are the facts, and this is where we are today: Little or no progress has been made. If you look longitudinally at how we are doing in various fields in the last 30 years, when you compare us internationally, that flat curve of not doing better has to be compared to the fact that other countries around the world, competitors, other members of the global economy, are doing much better. That lack of achievement, that lack of accountability, that lack of progress is really what we are debating today. For whom? For our children. For that next generation.

I mentioned Ed-Flex. The purpose of Ed-Flex was basically to begin that process, that debate, of getting rid of the Washington redtape. We heard again that the Federal programs account for about 50 percent of the bureaucratic redtape that our teachers at the local levels, back in all of our local communities, suffer under each day. They want to teach, and they want to have that individual child become better educated. Yet in another Federal program, we have another set of regulations and we layer more and more redtape on their activities each day.

It is time for us to cut the redtape and remove these overly prescriptive—yes, well intentioned—programs that we see in the Democratic alternative just presented. It is well intended, but there are more programs, more of the same, cutting out that opportunity to capture an educational reform movement that is going on around the country today. If we look at what our schools and principals and teachers

want to do, the opportunity we have today in the underlying bill is to promote that innovation, that creativity, to take off those handcuffs, and capture that innovation of educational reform.

The bill that was just laid down—the Democratic alternative—is simply more of the same: more programs which cut out and reject the innovation and creativity which has the opportunity of accomplishing what the real goal must be, which is to take care of that individual child in a way that he becomes better educated.

Flexibility, combined with accountability, has to be our objective. The end result of the debate on education modernization, I call it, absolutely must and should be innovation—rewarding what works, and what doesn't work, putting it aside. That is captured in the underlying bill.

I had the opportunity on the Budget Committee—I serve on the Health, Education, Labor and Pensions Committee from which this bill has been debated and has emerged. I have had the opportunity also to serve on the Budget Committee, where we had a task force on education. For 6 to 8 months, we had a whole range of hearings and witnesses, both Democrats and Republicans, who came forward with a pretty uniform, simple, well-understood message after about the third or fourth witness, and that is that we have today in education, Federal education programs, almost a spider web of duplicative programs, oftentimes conflicting, each with their own bureaucracies, all trying to do something good, but resulting in this sprawling—like a spider web, behemoth, and it is hard to decipher what the incentives are to do better.

There has been no streamlining, no coordination over all these programs, which have been layered one on top of the other over the last 30 years. We have heard it again and again. This sort of spider web of responsibilities and conflicting programs—some people say there are 280 programs; some say there are 750 programs. The point is, there are a lot of programs, all aimed at that individual child, resulting in inefficiencies and waste and loss of focus on student achievement that is so apparent.

The sad part about that is, it ultimately gets translated into punishing our children today instead of helping our children today. There is a lack of educational progress, resulting in the international data I mentioned. Once again, instead of truly developing the full potential of the individual students, thousands, tens of thousands, are not being well educated in our schools today.

We filed a report based on our task force, and the No. 1 recommendation—because we heard so much again and again about the redtape, the burdensome regulations, tying hands of the individual teachers—the No. 1 recommendation out of the Budget Committee Task Force on Education was:

In light of the continuing proliferation of Federal categorical programs, the task force recommends that Federal education programs be consolidated. This effort should include reorganization at the Federal level and block grants for the States. The task force particularly favors providing States flexibility to consolidate all Federal funds into an integrated State strategic plan to achieve national educational objectives for which the State would be held accountable.

That is the No. 1 recommendation that came from this Senate Budget Committee Task Force on Education.

This need for consolidation really could not be more clear. We had this backdrop of stagnant student performance, in spite of different statistics and studies that have been brought forward and purport to show minimal progress. We have to come to the general agreement that student performance has been stagnant—because it has been stagnant. In spite of that, we find not what you would think would be a very streamlined focus to the Federal effort, but a sprawling, unfocused effort that really is driven by a lack of the question, What works?

Let's support what works, and what doesn't work. Let's no longer feed, as we have done over the last 20 or 30 years and would continue in this Democratic alternative bill, things that do not work. The Democratic alternative unfortunately feeds, yes, some good things that work but also continues this institutionalization of things that do not work.

Our bill, we have heard, contains a very important demonstration project called Straight A's. It is a demonstration program. Earlier, Senator GREGG, again, drove home a very important point on the floor, within the last hour, that we are not in this demonstration program and in our underlying bill forcing anybody to do anything; that they have a choice. If a local school district or a State is unsatisfied with this duplicative Federal effort and the categorical programs that have redtape tied to them, under our bill they can, if they want to but don't have to, continue with the same programs. But they have other options.

In Straight A's, we give schools in school districts the flexibility if they want it. I can tell you that many of them want it based on the hearings we have had in our committee, or based on the budget task force. Their goal is to increase achievement. If they say it can be best achieved in a local community in Nashville, TN, or Alamo, TN, or Soddy-Daisy, TN, requiring them to make decisions and giving them the flexibility to accomplish that achievement to educate the children, then they, for the first time, will have choice under our bill. But under the Democratic alternative they will not have that flexibility to innovate and to create.

Under our bill, States don't have to, but they may elect to partner with the Federal Government to consolidate those elementary and secondary education funding sources. A State may

choose to remain just where they are today under our bill in the categorical program, but they will have a choice for the first time.

Under the Straight A's demonstration project, States that participate could choose to spend that Federal money in the way that is best for them. The contrast will be the Democratic approach that says: No, we in Washington, DC, can best judge what works best. In Soddy-Daisy, TN, at the school that is serving the hundreds of kids in Soddy-Daisy, basically Republicans say no; that the school should be able to make the choice on how to use those funds. Why? Because, in Soddy-Daisy, they might need textbooks and not another teacher, for example. They have already reduced class size, per se. They may need to hook up that computer to the T-1 line, to the fiber-optic cable, that comes a block away so they can take advantage of that access. Or they may need an afterschool program. They are the ones—not us in Washington, DC, and not those of us in this Chamber—who are in the best position to make those decisions.

State and local school districts, I mentioned earlier, are attempting to be innovative today. They recognize that things are not working. I think it is, without question, based on the data we have listened to as we go back to our districts and in our various hearings, that it is the local school districts and the States that are the real engines for change, that recognize the needs, and are responding to those needs with innovative programs. They are yelling and crying out to take away these regulatory handcuffs and this excessive regulatory burden and redtape that strangles them and keeps that innovation from bursting forth.

It is teachers, it is parents, it is principals, and it is local communities who are demonstrating on a daily basis their enthusiasm and desire calling for this choice and increased flexibility.

Although the Federal Government—both the Congress and the President—is prepared to assist in improving America's schools, I think it is for all of us to remember that there are limitations. We have heard it on this floor. There are limitations in terms of the Federal role in education. In Tennessee, funding for education in our local schools is about 9-percent Federal funding and 91-percent local, community, and State.

There are not Federal teachers. There are not Federal classrooms. There are not Federal principals. Virtually all learning in America is occurring in classrooms and in homes outside of the purview of the Federal Government. But the Federal Government, tied to that 9 percent in Tennessee or 7 percent nationally, has this excessive regulatory burden which strips resources out of our local communities.

The Federal Government clearly plays an important role. Since we are failing so miserably, I argue, nationally, and thus, we are failing inter-

nationally in this increasingly global world, I believe the Federal Government must provide the leadership to identify the problems of education in K through 12 in this country as one that is clearly worthy of the collected energy and the attention of all Americans.

Yes, incremental resources both at the local and the national level are likely to be required and to be increased over time. But it is absolutely essential, along with the resources we provide today, that we give the States and the local communities the freedom to pursue their own strategies for implementation in how to identify the needs and thoughts of local communities.

State strategic plans are something that we, as a Federal Government, should support. It is allowed under our bill. It is encouraged under our bill. In fact, under such a plan the States would establish concrete, specific educational goals.

As we address this whole issue of accountability of what they do in return for this flexibility, they would also establish at the State level or at the local level very specific standards for accountability, and timetables for achievement. In return, they would be allowed to pool the Federal funds from all of the categorical programs that we built here in Washington, DC, and spend those consolidated resources in States on locally established priorities. Accountability is absolutely critical. Traditionally, accountability in the Federal perspective has been very much on quantitative measures rather than qualitative ones.

We talk about how many students are being served by title I. Everybody knows by now that title I is the Federal program with \$8 billion aimed at disadvantaged students. But we have not asked how well those students are doing. Again, is it child-centered? That is so important in the underlying bill. Is it child-centered and focused on how well that student is doing? How much is that student learning? How much is that achievement gap narrowing? We haven't asked that question. Now is the time. The underlying bill links that flexibility to accountability and to asking those fundamental questions.

The issue of partisanship comes forward again and again. Although both sides of the aisle say, yes, education is important, and, yes, we need to do better, the partisanship is interesting because people are painting the Straight A's component as partisan.

Again, the Straight A's demonstration project, flexibility, accountability, local control, choice—not forced choice but the free choice, is a partisan measure.

During a budget education task force meeting, it was fascinating for me to hear from the Democratic officials from the Chicago school system, who said the most important thing is flexibility. They credit much of their progress in reforming the system which

they adopted to the so-called block grants, the block grants which the other side is attempting to vilify. If you talk to Chicago, which is really a model in terms of flexibility and accountability, they attribute much of their success to the use of block grants that allow flexibility to rise forth to capture the innovation and the creativity that emerges once you take away these regulatory handcuffs.

The Chicago officials were clear:

We know the system and we believe we know the things that it needs to have in order to improve. So, the more flexibility we have with Federal and State funds, the easier it is to make those changes.

The partisanship we should put aside. Effective education policy absolutely should not be bound by party lines. We can have disagreements. We will say more flexibility, more local controls, child-centeredness. The other side may say another government program is the answer. That is a legitimate debate. But let's set the partisanship aside.

The Florida Commissioner of Education said:

We, at the State and local level, feel the crushing burden caused by too many Federal regulations, procedures and mandates. Florida spends millions of dollars every year to administer inflexible categorical Federal programs that divert precious dollars away from raising student achievement. Many of these Federal programs typify the misguided one size fits all command and control approach.

The concept of command and control clearly is one that we believe and believe strongly has not worked in the past and is something we should no longer rely upon as we march into the next century, recognizing the importance of a foundation of strong education for our children.

The Department of Education, when they testified before our task force, in many ways agreed there needs to be simplification. We have so many categorical programs. Testifying before the task force, Secretary Riley said the Department had eliminated 64 programs. Then just several weeks later, we had the General Accounting Office tell us the Department still oversees 244 programs.

Seeing the Department recognizes the importance of streamlining and consolidation leaves me a bit perplexed as to why the Department opposes the principles in our underlying bill. Under our bill, we allow choice between the current system and a more consolidated approach—not forcing consolidation, but a choice for consolidation.

If we were doing so well today, as we have heard again and again from the other side, I do wonder why they fear all the States will choose to participate in our Straight A's demonstration program, if they really think the categorical system is working so well.

I understand why the administration opposes our proposal. We do say we should not be micromanaging K-through-12 education for all of the 80,000 public schools out there out of Washington, DC. It means, for example,

if the administration has an agenda item, it would be increasingly difficult to impose that on a local community if the local community says you are wrong. That is not what is needed. That does not meet the needs we have identified based on our experience in a local community.

In the last several days, many of my colleagues on the other side of the aisle suggest that Straight A's does not have any guarantee that the money will be spent the way "it is intended." We have heard it again and again. I ask that fundamental question, the way "who" intended it be spent? Do we really think we in the Senate with the range of issues that we deal with, with the distance of being in Washington, DC, can speak for each individual school and the individual needs identified by that local school? Or is it the local teachers and administrators and educators who have been in the education business for years. Do we really think we know better than they what schools need to be successful? Are we so arrogant and think so much of our own thoughts to believe that without our individual programs that are targeted for specific purposes, our schools would not undertake specific efforts to reduce class size, to recruit quality teachers to the classroom, or to modernize their schools?

We have heard in the last several days from Democrats who have called the Straight A's demonstration project a blank check. Anybody who has read the bill or who has studied what Straight A's is all about simply cannot call it a blank check. For the first time, we are actually requiring States to show results. This bill looks at results, student achievement. It must be documented. We are requiring States to show for the first time how they are helping disadvantaged students reduce the achievement gap.

An editorial today in the Washington Post was interesting. It decries Straight A's for removing targeting requirements on Federal dollars. The editorial says:

It makes no sense that States somehow need the right to shift funds away from low-income schools in order to narrow the achievement gap between the lowest and highest achieving students.

Apparently, the editorial board encourages us to vote Straight A's down to protect the flow of money to the poorest schools.

It misses the point. The point is this Federal flow of money has done nothing for children in the poorest schools except to make us feel good; to say, yes, we are doing something. If you look at the objective results, we have done nothing. Report after report shows our poorest students are getting further and further behind. If you go back to our bill, you will see why we stress measurable results in reducing the achievement gap, linking it to the devotion and the investment of resources.

It requires you send the money to poor schools. In the underlying bill, S.

2, we have infused the fact that new responsibilities must be coupled with ensuring that students are actually learning, that standards are increasing, that we are doing what education is all about, and that is educating those individual students.

States must have measures in place to ensure that all children, poor and nonpoor, meet proficient levels of achievement within 10 years. What better catalyst for reform is there? What better way to ensure that poor children receive the same quality of education as their wealthier counterparts than requiring—which is what our bill does—that States demonstrate their poor children are achieving?

School districts should be allowed to use the Federal funds in the most effective way to reverse the trends I opened my comments with, trends which show us falling further and further behind as we compare our students in the 4th, 8th, and 12th grades internationally.

In the First in the World Consortium schools located outside of Chicago, administrators poured significant amounts of money into improving teacher quality through intensive professional development. The results, unlike the rest of America in the statistics which I quoted from the Third International Math and Science Study, which show we are falling behind, were just the opposite in the consortium than what we are seeing nationally. They saw improvement.

Last week, I heard from innovative State superintendents from Texas and Georgia that several of their school districts discovered that their reading teachers did not know how to teach children to read so they invested significant dollars in retraining all of them in the research-proven, the documented methods of reading instruction. This is local control, local flexibility, local identification of needs; not mandating what districts need out of Washington, DC. It is reinforced when you think some districts may want to offer programs on a district-wide scale to entice better teachers into the school system and into some of the poorest performing schools. The funds might not be sent directly to those poor schools, but the quality teachers would. Because we know a high-quality teacher is the most important determinant of a student's achievement level, that would be good. It would be a wise use of those funds. Our bill allows the use of funds in those ways.

Isn't it possible that this approach might just be more effective than simply throwing money at a poor school? Demanding that accountability while giving the flexibility to use those funds in that way?

Radical changes in flexibility and accountability, I believe, are precursors to the sort of reforms we are witnessing at the local level in selected pockets. I mentioned Chicago. Many of us have quoted the reforms that have gone on in Texas. In 1988 and 1995, the Illinois State Legislature enacted

sweeping reforms. The 1988 law gave unprecedented discretion to individual Chicago schools. The 1995 law gave the mayor an unprecedented role. In addition, the State legislature in Illinois has allowed the use of block grants for much of the funding for Chicago's schools.

According to Chicago school officials:

Most of our initiatives are locally-based, locally-funded, locally-developed by people who have been working in Chicago for many years. We know the system and we believe we know the things it needs to have happen in order to improve. So, the more flexibility we have with Federal and State funds, the easier it is for us to make those changes.

Remember, Straight A's is a demonstration project. It is not being forced on anybody. The school district, the State, can choose whether or not they want that increased flexibility or accountability. That is the beauty of the underlying Republican bill.

For the first time, Straight A's focuses on what matters most—the accountability, the achievement levels of the children who need the help the most. Under Straight A's, a State may do almost anything with the Federal money but—and the "but" is what you don't hear from the other side—but it has to prove it has increased the academic achievement of all of its students in the end. Poor kids, clearly, will be better served under this proposal.

Again, for the first time the object of the Straight A's Program is for States to focus on closing the achievement gap between those students who excel and those who do not, between rich and poor, between black and white; the achievement gap is to be closed.

The debate centers on flexibility, accountability, on child-centeredness, on local control. I have risen today to speak in opposition to the Democratic alternative which basically says those are not the principles, those are not the themes for the American people. The themes are another Federal program to add to the 760 programs that are out there.

The theme on the Democratic side is: We know what is best in Washington, DC. Republicans are basically saying: No, we do not know what is best. The people who know best are the people who are closest to our children, who do know their names and their faces, who are at the head of the classroom every day, teaching; those with the commitment, the teachers and the principals and the school superintendents and the parents—the parents, again, who understand, who see, whose input is so necessary as we answer that question of what works and what does not.

Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I rise in opposition to the amendment before us, the Democrat substitute. In that it is a total proposal, it gives us a chance to talk about the context of the total debate. I have to say I am appalled, looking at the scope of the data

over the last 30 years, that anybody could defend the status quo. It is just mind-boggling to think about it.

It does remind me of the welfare debate. I never could understand how anybody could look at that system and look at the number of people who were being damaged by it and not recognize that something had to be done to change it and we had to look to newer ideas. Not all the new ideas work, but we know the old ideas did not.

Today in America, 41 million adults are not effective readers. They have trouble with a phone book or a prescription drug label, reading a letter from a family member. That is a staggering number. I am going to get into some of these statistics, but I want to step back just for a moment to say I think everybody inherently knows education is an exceedingly important subject for all of us in the country. But from time to time, I think we need to step back and recognize that education and an educated mind are a cornerstone of American liberty.

Let's try to frame this for a moment. From our very founding, we have understood that a core component of maintaining a free society is that the population is educated. To the extent that any among us who are citizens do not have the fundamental skills, the basic education, they are truly not free. They cannot enjoy the full benefits of American citizenship because they are denied the ability to participate. They are inhibited in the ability to think for themselves, for their families, for their communities, for the Nation.

There have been a couple of assertions made here. One was made by the majority leader. The other I think was made by the Senator from Connecticut. I would like to talk about those for a minute.

The suggestion is that these deplorable statistics, that two out of every three African American students and Hispanic fourth graders can barely read, 70 percent of children in high-poverty schools score below the most basic level of reading, and on and on and on—the assertion by the Senator from Connecticut was: But the Federal Government only deals with 7 percent of the funding for schools and 93 percent comes from somewhere else so this blame cannot be directed at Federal policy.

That is a little misleading because for the 7 percent of these funds that go to the various States, about 50 percent of the bureaucratic overhead is associated with that 7 percent.

All the regulations, all the mandates, and all the forms associated with this Federal investment in education carry with them an enormous and staggering burden. There are hundreds upon hundreds of Federal employees in every State of the Union endeavoring to carry out the programs associated with the 7 percent.

Since 1994, by and large, the growth of employment in the public school

system has been for administrators, not teachers. We are arguing about how to get the appropriate number of teachers, and a system-oriented program is driving up administrators. I want to make the point that one cannot simply say it is just 7 percent of the money. That is just not the case. It is 7 percent of the money, it is 50 percent of the overhead, and it is mandate after mandate. It has local systems gnarled up.

On more than one occasion, there has been an inference that the States do not have the moxie or the know-how to get in there and get this done. Frankly, it is in the States where I see the most innovation. In my State of Georgia, a Democratic Governor is turning the system upside down. Or one can go to Wisconsin or Arizona. Why are they so energized? Why are they asking us for more flexibility and more options? Because they know what we have been doing is ineffective and not getting the job done and damaging our democracy because it is putting out on the street millions of Americans who cannot function properly in our society.

The minority leader earlier said that since 1994, we have been doing a whole lot better. First of all, we were doing so badly that it did not take a lot to improve. The point is, there really is no basic improvement. The data is atrocious. In mathematics, American 12th graders ranked 19th of 21 industrialized countries and in science 16th of 21 nations. Our advanced physics students ranked last. Who would ever have thought this to be the case in the United States of America?

Since 1983, 6 million Americans dropped out of high school. In 1996, 44 percent of Hispanic immigrants aged 16 through 24 were not in school and did not hold a diploma.

In the fourth grade, 77 percent of children in urban high-poverty schools are reading below basic on the National Assessment of Educational Progress.

In 1995, nearly 30 percent of all first-time college freshmen enrolled in at least one remedial course, and 80 percent of all public 4-year universities offered remedial courses.

According to U.S. manufacturers, 40 percent of all 17-year-olds do not have the math skills and 60 percent lack the reading skills to hold down a production job at a manufacturing company.

Seventy-six percent of college professors and 63 percent of employers believe a high school diploma is no guarantee that a typical student has learned the basics.

Maybe this is one of the statistics that is thought to have improved: The dropout rate for 9th and 12th graders in 1995 was 3.9 million—rounded off, 12 percent. In 1998, this period for which we were supposed to have seen significant improvement, the dropout rate was 3.9 million or 11.8 percent, or perhaps two-tenths of 1 percent—hardly anything about which to get excited.

In grade 4, according to the National Association of Education Progress,

poor students lag behind their more affluent peers by 20 percent. The results show no change—I repeat, no change—over the three assessments from 1992 to 1998. From where are we drawing any conclusions that somehow things have turned around?

In grade 8, 38 percent are below basic in mathematics; 48 percent of fourth grade students scored below basic.

In reading, there are more 12th graders scoring below the basic level; 20 percent in 1992 and 23 percent, up 1 percent, in 1998.

One has to be an eternal optimist beyond any description or definition that I can understand to think that somehow this incorrigible data we have received shows that we have a tourniquet on the problem and circumstances are improving.

Seventy percent of children in high-poverty schools scored below even the most basic level of reading.

Half of the students from urban school districts failed to graduate on time, if at all.

Forty-two percent of students in the highest poverty schools scored at or above the NAEP basic level for reading; 62 percent of students in all public schools met the standard.

We have been at this for 35 years and have spent approximately \$130 billion. In virtually every category, those students who were the targets of this program are not better off.

I want to talk about that for a moment. What does "not better off" mean? I said 42 percent, 13 percent, 30 percent, 6 million of those, 5 million of these. What does that mean? What if it is a person we know living in one of our cities? It means, to use a figurative name, Billy Smith cannot get a job because he cannot read. He has dropped out of school. He is pushed into probably a very poor environment. The likelihood of Billy Smith going to prison is three times that of a student who stays in school. The chances Billy is going to be the father of a child born out of wedlock are in huge multiples. The average annual income is virtually poverty line or below. Pushed to crime, Billy Smith, one of these millions about whom we talk, one of these percentage points or numbers, one of these people we have turned a blind eye toward for these many years, is just likely, more than anything else, to end up in trouble, end up in prison, end up on drugs, not be a productive element of society, and probably create a family of whom he cannot take care.

That is the picture that gets repeated by these millions and millions of people about whom we talk. There are 41 million American adults who cannot read. Look at the prison population and find out their reading skills. Of course, it is not that it is nonexistent, but it is not there. Every one of these children who falls out, and through, this system is being condemned to a very unpleasant and nonproductive future in our society.

Now comes this bill that we are considering. I am not a member of the

committee. But it talks about giving local school systems options, performance agreements. It talks about more flexibility. It talks about accountability. It makes it all optional. Nobody has to do it. If everybody is real comfortable with the status quo, with the abysmal data we see every other week, they can stay right where they are. I think they will find that the constituencies—the public—are going to demand that changes start to occur, which is why so many Governors are in the middle of all of this and why they are asking for flexibility and new options.

But even the opportunity to try different concepts is repulsed by the other side: No. We can't do that. We have to set the standard right here. We have to tell every one of those Governors they are not capable of knowing exactly what we should do anyway, so we have to tell them exactly what they need to do.

This is a classic debate between those who want to go to a new place and those who want to stay in the old, between the status quo and the new, between those who have confidence in the emerging effectiveness of local governments and State governments and those who don't.

In the early 1960s, there were a number of critiques written about State governments. You would not recognize any of them today. I think for us to assert that those folks on the ground, in the community, have to be told what to do is uncharacteristic of the American way.

I think that the substitute which says, no, let's keep things the way they are—they have bells and whistles in there; but essentially it is a defense of the status quo; let's just keep on looking at this data; let's not try anything different; let's not give some flexibility to these localities and States—ought to be defeated.

I compliment the chairman of the committee, who is not here at the moment, and also Senator FRIST of Tennessee, and all the others on the committee who worked so hard to produce the underlying bill we are considering, that does move to a new day, that does offer flexibility and accountability, that does offer new options. I commend them for their work.

I hope we will defeat this substitute and move on ultimately to passage of the underlying bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I will take a few moments to respond to these general comments that have been made over the period of the past few days by those who are opposed to our proposal in terms of education reform. The proposed bill basically gives a block grant, a blank check, to the Governors to make these decisions.

It is always interesting to me to hear my friends on the other side of the aisle when they say: We are interested in local control, local decisionmaking.

That isn't what this is about. This is about giving a blank check—a block grant—to the States. Read the legislation. The States are the ones that are accountable to the Secretary of Education at the end of the day, after 5 years. They get the block grant. They can go out and do whatever they want for another 5 years. Then they can come back and say, look, we have had substantial compliance in what we originally proposed. Then the Secretary is either going to say, no, you have not; or yes, you have. The idea that the Secretary is going to cut off the States on any program is preposterous—anyone who thinks that will happen has not been around for any period of time under Democratic or Republican administrations.

But let's get back to some of the facts. First of all, if we are going to provide this money, why allow this money to be taken by the States before the money gets down to the local level?

The fact is, various GAO reports indicate that school districts received anywhere from 95 to 100 percent of the federal funds appropriated. This was true in 1995, for the title I programs, the bilingual education programs, the emergency immigrant education program, the safe and drug-free schools program. Specifically, for the Goals 2000 program, 93 percent of federal funds went to the local level; for the Eisenhower program, 91 percent; for IDEA, 91 percent; for the preschool programs, 88 percent. Ninety-five percent to 100 percent of federal funds get to the local community. That is where it is happening at the present time.

So the other side of the aisle says: All right. What we need to do is to have more flexibility. The Federal Government and its mandates are denying local flexibility.

Let's look at the GAO report dated January 25, 2000: "Elementary and Secondary Education, Flexibility Initiatives Do Not Address Districts' Key Concerns About Federal Requirements."

Do we hear that? We specifically asked the General Accounting Office to look into local communities to find out if we are effectively restricting them in their ability to use money effectively to enhance local decisions. The GAO report, on page 9, says, that what the local communities want, No. 1, are resources, funding. No. 2, they want to have management technology and techniques and training for the local schools. And third, they want information about what is working in other communities.

That isn't only the Democrats speaking. That is what the General Accounting Office reported. Local school districts have enough flexibility at the present time.

What does the other side say? They say: We do not want to do business as usual. We just want to send the money out there.

It is interesting when we look at what the situation is at the local level.

Let's look at the IG's report from March 2000. It reviewed State education agency officials in 15 States. They received complete responses back from 10 States. Of the 10 States that responded, 6 States do not permit any combining of funds whatsoever—no combining of local, State, or Federal funds; that is, 6 of the States prohibit that.

When we provide flexibility, we say, if that decision is going to be made, it has to be done there at the State level. Two States, of the 10 States reporting, allow combining of Federal funds only. One State allows combining of State and local. Only one State out of the 15 States looked at by the IG of the Department of Education permits the combining of funds at the State, Federal, and local levels.

(Mr. GREGG assumed the chair.)

Mr. KENNEDY. Mr. President, the problem isn't the Federal Government, the problem is the States. That is the contention. Let's hear the argument from the other side on that during this debate. You say those are interesting reports, Senator, but is this really the case? All you have to do is take the national assessment of title I that was done last year. In 1999, the national assessment of title I says:

Among the schools that reported in the 1998 survey that they had been identified as in need of improvement, less than half reported that they could receive additional professional development or technical assistance as a result of being identified for improvement from the States.

Here you have communities that are trying to ask for help, and only half are receiving any. States are not responding to half of those communities. What is the other side's answer? Send more money to the States. This is the wrong answer. States didn't care prior to the time we passed the Elementary and Secondary Education Act in 1965. They didn't care about ensuring that the most disadvantaged children were served. Then we gave them federal funds from 1965 to 1970 and they still didn't take care of disadvantaged children. We have learned that lesson. And now, we want to give States blank checks. Haven't we already learned from the past? States will allocate federal funds according to what the Governor wants to look out after, and there are no guarantees that it'll be targeted to the poorest or most disadvantaged children—the States aren't using their own dollars to do this now.

If Members on the other side could say: Senator KENNEDY, let me show you where we have 25, 35 States pinpointing as a matter of State priority in education what they are trying to do for the neediest kids and they are showing results, saying give us more help, they would have a strong argument. They can't do it. They don't answer that. You won't hear that. You will hear all the clichés such as, "What has happened in the past isn't working," and "They want more of the status quo."

Now, in contrast, let's look at what I have said is happening out there.

Needy children are the responsibility of the States. In 1986, the National Governors report said, "It's Time For Results." The task force urged Governors to intervene in low-performing States and school districts and take over closed-down, academically bankrupt school districts. Let's see what happened.

In 1987, 9 States were authorized to take over—9 States out of the 50. In 1990, the NGA report on educating America outlined strategies for achieving the national education goals. The task force, cochaired by Governors Clinton and Campbell, recommended States provide rewards, sanctions, linked to school academic performance, including assistance and support for low-performing schools. Take over if those do not improve.

In 1990, eighteen States offered technical assistance or intervened in the management of low-performing schools. In 1998, NGA policy supported the State focus on schools. In 1999, 19 States complied. It will take another 50 years to get all the States to take care of poor children. Now the Republicans want to send all that money out there, with virtually no accountability, virtually none. Five years, and then unless the Secretary of Education can demonstrate that they haven't substantially complied with it, States can get another chance at it for five more years.

That is what this is all about. Are we going to just send the money out to the States, or are we going to have some real accountability? Now, let me take one area and present our side's alternative.

In regard to teacher quality, we maintain in our alternative that there are new, important, tried and tested, and demonstrably effective policies that can enhance academic achievement. As we have pointed out, these policies are: smaller class size, after-school programs, teacher quality, accountability, technology provisions, and others. These are virtually new. The other side may say that "they just want to do business as usual," but we didn't have technology 10 years ago or 30 years ago. We didn't have the documentation of the importance of small class sizes.

We assumed that all States were focused on ensuring that all classrooms were going to have certified teachers. That hasn't been the case. We stand on this side of the aisle to guarantee a well-trained and fully qualified teacher in every classroom in America after 4 years of the date of enactment of this Act. That is our side.

Let's hear what the other side has. First of all, on the issue of teacher training, recruitment and empowerment, they have the Republican Teacher Empowerment Act, which gives so much flexibility, States really don't have to do anything to change their current practices. They can continue hiring uncertified teachers, continue to provide low-quality, ineffective profes-

sional development and mentoring. In States, they could use most of the funds for a large variety of purposes that dilute the focus and attention on improving the recruitment and mentoring and professional development of teachers.

The question is, Does the underlying bill guarantee substantial funds for professional development? No. All the underlying bill says is there will be "a portion of the funds"; it doesn't say how much will be there. Our amendment guarantees professional development. The underlying bill doesn't guarantee funds for mentoring programs. It just allows the use of funds for those programs. Our amendment absolutely guarantees mentoring.

Thirdly, the underlying bill does not guarantee funds for recruitment programs. It just allows the use of funds for recruitment programs. Ours guarantees a recruitment program and gives priority for that. Their bill does not guarantee that teachers are trained to address the needs of children with disabilities or other students with special needs. It just allows the use of funds for such training.

Our amendment guarantees that teachers will learn how to teach these children. Their bill does not hold States accountable for having a qualified teacher in every classroom. It doesn't even require teachers to be certified. If you look carefully at the Republican program, it does not really guarantee much. In contrast, we clearly spell out what our bill accomplishes.

Their bill does not require a substantial priority for math and science training.

If you go and talk to any school teacher, any school superintendent, anyone that is involved in educating needy children in this country, and you ask them is: Do you have enough good math and science teachers? They will say that one of their top priorities is getting good math and science teachers in high-poverty areas.

Everyone says that.

I can give the various reports of what matters most in teaching for America's future. The report of the National Commission on Teaching on America's future was made up of Republicans and Democrats alike. One of their key findings was that if you are going to do anything about teaching, make sure you do something about math and science—there is no mention of a Republican block grant program.

Finally, their bill does not require accountability. Instead, it promotes ineffective professional development activities through Teacher Opportunity Payment Programs, what they call TOPS. TOPS supports individually selected strategies that aren't necessarily proven effective practices. Effectively, it says that if you are a teacher and you want professional development, you can go out and find any program, anywhere, and it will be paid for. Having the Federal Government reimburse for this untested and untried

program as matter of local control makes no sense.

Our amendment contains tough and high standards of accountability. Our amendment says if you do not make progress in student achievement, which is the bottom line, with better teachers after 3 years, you cannot continue to receive funding for this program.

There it is. We are prepared to say this is the challenge and this the way we ought to go and this is the way it ought to be tried and tested.

We are effectively guaranteeing parents in this country good, fully qualified teachers. The other side can't say that because their program doesn't justify that.

In addition, I want to look at the existing programs and the proposal that is before us. This is what I consider the "education report card."

They certainly get the F in terms of qualified teachers for the reasons that I have outlined.

We are talking about secure and gun-free schools and trying to make them safe.

We are talking about safe schools.

We are talking about small and orderly class sizes.

We are talking about afterschool programs.

We are talking about strong parental involvement.

And, we are talking about, most of all, accountability for better results.

This is the heart and soul of what we believe is necessary in order to enhance and strengthen the quality of education for children in this country.

These are the various areas of policy that we have to take action on. The existing bill grade is an F.

We have a program that we are prepared to debate and discuss, and to be challenged on. I hope we are going to escape the clichés and the slogans in this debate. We have heard the clichés. We have heard the slogans. We are prepared to deal with the real policy issues and the real policy questions because we believe this is a way that we can really respond to children's needs.

We need a guarantee. We don't need a blank check. We want to make sure the money is going to get to where it is needed and not go to the Governors' pet programs and pet projects in local communities in their States. That is what has been happening. That continues today.

You don't have to get a lot of reports to see what happens when we give Governors a blank check. What happened has been demonstrated in the tobacco bill. We sent money back to the States with the idea that money was going to be used for children in terms of smoking and children's health. We are finding out that it is instead being used to build sidewalks, and cut taxes.

We need to take responsibility for helping our neediest children with our scarce federal resources. The democratic alternative allows us to make a difference for children in this country.

Finally, I want to mention what has been happening in recent times. I

with great interest, my friend from Georgia talk about all the challenges we are facing. We understand that every child who goes to school in America today is facing additional complexities and problems than they were facing 2 or 3 years ago or 5 years ago. It is very challenging for a variety of different reasons that we can talk about. But the fact is that there has been some progress made. Primarily it has been made since 1994.

Let me mention the National Association of Educational Progress. Their reports show that there have been significant increases in math scores in the fourth through eighth grades, and reading and math performance among 9-year-olds in high-poverty public schools. Among the lowest achieving, the fourth graders have improved significantly. The achievement gap between blacks and Hispanics and white students has narrowed since 1982. The greatest gains in science were made by black and Hispanic students. Average SAT scores in math and verbal were higher in 1999 than the average for 1983 or 1989.

These improvements came at the same time that the proportion of test takers with native languages other than English have been increasing.

The dropout rates are lower today than in the 1970s and 1980s, and particularly lower for black youth.

In 1972, 21 percent of black youth dropped out of school.

In 1979, the rate was 13 percent. The dropout rate for Hispanics fell from 34 percent to 25 percent during that same period, and from 12 percent to 8 percent for whites.

In 1997, 89 percent of persons age 16 to 24 completed high school or attained a GED.

The number of students taking advanced courses has increased, especially those taking advanced placement courses.

No one is saying that we have this challenge solved. We are not saying that. But what we are saying is, we reject the statement made that our alternative is merely the status quo.

The programs we are talking about are dramatically different. They are innovative. They are responsive. They have a solid record of achievement. We are making some progress.

With this substitute, we believe we will be able to come back in 5 or 6 years and say we have made gains and that we made the right investment for the neediest children in America.

Finally, I want to put in a word for those children who are going to be wiped out under the Republican program—the migrant children, the immigrant children, and homeless children.

I read in the RECORD the other day the report that was given in 1987 when we were considering the McKinney Act. We asked States how many homeless children were being educated in their respective State. We had virtually no response to that particular question.

In March of 1987, the Center for Law and Education sent the questionnaire

regarding State practices and policies for homeless students to the chief State school offices in the 50 States and Washington, DC, and received 23 responses. The majority of the respondents had no statewide data on the number of homeless children within their jurisdiction or whether the children were able to go to school. The majority of States had no plan for ensuring that homeless students received an education.

That was prior to the McKinney Act, prior to the time of identifying homeless children, migrant children, and immigrant children.

Now our friends on the other side are saying we don't have to deal with those populations anymore, the Governors will know best.

They didn't up until 1987. They don't today, without these kinds of program. We are going to be back here, if their program is passed, mourning the day that we have essentially abdicated our responsibility to those children in our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I ask unanimous consent, after my presentation, Senator HUTCHINSON follow me. We will rotate. Senator DODD could not stay. He will be allowed to follow Senator HUTCHINSON.

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

Mr. WELLSTONE. Mr. President, I have had a chance to come to the floor the last couple of days. My colleague from Arkansas has been on the floor, as well. We will go back and forth in this discussion. I support some of what my colleague, Senator KENNEDY, had to say about the differences between the Democrat proposal now on the floor and the Republican proposal. The differences between our alternative proposal and the Republican bill make a huge difference.

I have loved being a Senator. It is quite an honor. I don't think I will ever feel otherwise. I only mean this in the spirit of a twinkle in my eye. Honest to goodness, Washington, DC, and this Congress is the only place I have ever been where people say: Let's hear from the grass roots, the Governors are here.

Governors are not what I know to be grass roots. There could be good Governors, bad Governors, average Governors, but my colleagues have a bit of tunnel vision thinking of Governors as grass roots. Grass roots is community, neighborhood, school district level.

This is a tough point, but it is a point that needs to be made. There is a reason, going back over 30 years, that we as a Congress representing the Federal Government, representing the United States of America, have made it clear we don't just do block granting without some major accountability when it comes to the question of whether or not we are going to invest in poor children in America. That is why we have a migrant children program. That is

why we have a program for homeless children. I think this legislation, S. 2, rather than representing a great step forward, and change, is a great leap backwards.

Mr. COVERDELL. Mr. President, will the Senator yield with regard to a unanimous consent about everybody's time?

Mr. WELLSTONE. That will be fine.

Mr. COVERDELL. The Senator from Arkansas has to go to a markup in about 15 minutes. His remarks will take 10 minutes.

Mr. WELLSTONE. Mr. President, I ask unanimous consent the Senator from Arkansas be able to proceed right now. I will be pleased to follow the Senator from Arkansas. I think I might get done, but I will defer to my colleague, not because I think he is right but because I think he is a good Senator.

Mr. COVERDELL. I appreciate very much the comity extended by the Senator from Minnesota.

Mr. HUTCHINSON. Mr. President, I thank my good friend from Minnesota, for his gracious comity, his willingness to afford me this opportunity on the very limited schedule. We are all fighting the schedule. I appreciate that very much.

I thank Senator COVERDELL for his continued management of this legislation.

I have spoken several times on the Educational Opportunities Act, the legislation that the HELP Committee on which I serve and Senator WELLSTONE serves has brought to the floor of the Senate. I will take a few moments to respond to the substitute proposal that has been offered by the Democrats under the leadership of Senator KENNEDY.

Senator KENNEDY stressed that what he is offering is a break from the status quo. He is trying to distance himself from this inevitable and unavoidable label that has been attached to the Democratic approach which is, in fact, the defense of the status quo. While you can run from the label of status quo and try to say no, this is not the status quo, you cannot run from your own words. It was Senator KENNEDY who said we have to stick with the tried and the tested. That is clearly an identification and defense of the existing model, the existing strategy, the existing approach we have used in this country for the last 35 years and one that has brought us to the current situation in American education and a situation that no one can, with a straight face, truly defend.

It is the status quo in the alternative, the option that has been offered. It speaks on behalf of the Washington-based establishment. It throws more money at a broken system rather than focusing upon children. The strategy is to claim the underlying bill is a blank check. It seems pretty clear this strategy is going to bounce.

This substitute amendment before us again presents more of the same programs that have been around for 35

years, a plethora of new programs to try to solve some nationally recognized problems, loads of new bureaucracy and paperwork for teachers and principals. Of the more than 60 programs that are in the substitute amendment—60 programs in the substitute amendment—there is no emphasis upon rewarding States and school districts that do well. There is no emphasis upon sanctioning or punishing those that do poorly.

The bottom line is that is more of the same. That is more of the same approach we have had where, if you fill out the forms correctly and you receive the funding and you spend it in the way that is prescribed by Washington, that is the end of so-called accountability. That is a defense of the old way. We are suggesting the real accountability is in whether kids are learning, whether the performance gap between the advantaged and disadvantaged is narrowing.

The emphasis in this substitute is on the status quo. I will quote in just a moment from an April 13 editorial that appeared in the Wall Street Journal regarding AL GORE's education agenda because I think it is reflected in this substitute.

So what's left in the Gore teaching plan? Hire more teachers. Smaller class sizes (hire more teachers). Pay more teachers more. Sounds like a textbook definition of more of the same . . . One of Democratic liberalism's underlying, decades-old premises of using highly controlled federal funds is that Washington's moral intentions always trump those of the untrustworthy states. After 40 years this theory is fairly shopworn, but the core of the Democratic Party will never let go of it.

This substitute is clinging to the shopworn formula of the last 35 years. The idea that Washington's moral intentions trump those of the untrustworthy States is being rejected on this floor and rejected in this country. Democrats keep mentioning that we need to continue our current commitments. This amendment not only will continue to support the status quo, it will continue to add on to the piles of programs created at the Federal level and the piles of paperwork that we require school districts to fill out. That is not the way to help students.

Yesterday, Senator HARKIN, very dramatically—I was watching it—held up a four-page application for class size reduction funds. He emphasized the point that all of this stuff about paperwork from Washington was blown out of proportion, there was nothing all that burdensome, nothing that onerous being placed upon local school administrators because it was only a four-page grant application on the class size reduction from one of his districts there in Iowa.

That might have been what was in the original application. But complying with Federal requirements usually imposes a much larger burden. Lisa Graham Keegan, Superintendent of Public Instruction for the State of Arizona, recently talked about the pa-

perwork burden that Federal programs impose on her State:

Their end (meaning the grant application sent by the Federal Government) may be five pages—

That is Washington's end—

but ours certainly isn't. We have to send in a hideous amount of justification. Plus they ask for "assurances" that we will align our state laws, policies, procedures, (thoughts, actions, desires . . .) to the federal program. Home loan applications also start out as one to two pages . . . by the time you are done with justifications, you have killed a forest. Same with federal applications.

That is the point. So Senator HARKIN may hold up a four-page application. This is the 110-page end result of what the States have to do. This is the 1999 IASA Program Data Checklist. There is, in fact, 110 pages in the application. That is much more typical of what ends up having to come back to Washington.

In her home State of Arizona, 45 percent of the staff of her State education department is responsible for managing Federal programs that account for 6 percent of the State's education program. As I pointed out the other day, in Florida, it takes six times as many people to administer Federal education dollars as State dollars—six times as many. So something is wrong.

What the substitute before us would do is create more programs, more paperwork, and reinforce more of the same without any of the focus upon children's academic performance and narrowing the gap that is the focus of the underlying bill.

I know most Members of the Senate want to do what is right for children. I ask them to consider where the focus really is in this substitute. If every school district in Arkansas—there are over 300 of them—applied for this one grant, the result would be over 30,000 pages of paperwork for those 300 school districts, for just one grant.

I know of two teachers in my home State of Arkansas who had to take 1 week out of the classroom to apply for a Federal grant. It is not easy for many small districts in Arkansas to find a person knowledgeable in the intricacies of the Federal grant process to locate funding that originally came out of their own pocketbooks, and there are no requirements in the substitute amendment for improvements in student achievement—no requirements. Instead, they are funding systems, not students, as we have done for 35 years. If we are to change the course of education in this country, it is time to realize that funding must support each and every child, not each and every program.

Senator DASCHLE charged that the underlying bill would replace federal targeting of funds and hand it over to the states to set their own performance criteria. I think this "blank check" strategy breeds contradiction. I am reminded of past bills that are now law where we voted to do just what the underlying bill requires. Let me give an example.

In August, 1998, the Senate HELP Committee—at that time it was the Senate Labor and Human Resources Committee—passed and sent to the floor the Workforce Investment Act—a bipartisan job training bill. Like our existing education system, the nation's job training programs were top-down, Washington-controlled and funded programs infested with bureaucratic red-tape. The WIA gutted the longstanding 1982 Job Training and Partnership Act, JTPA, and handed over years of federally controlled, prescriptive requirements to the states and localities. The States were given the green light by us to create their own plans to administer their own job training—teaching people the skills they need to make a living right on the local level.

I did not hear folks make the claims that this was a "blank check" 2 years ago. Where were they then? How can we have a bipartisan bill that overwhelmingly passed the Senate and handed the bulk of discretion over to States and local boards for teaching people job skills, but we cannot even think of doing the same for education. I will tell you why. It is because the Washington establishment for job training does not have Congress in a head-lock like the education establishment does. That is why.

The old adage, "you can't teach an old dog new tricks" sure has meaning when the Washington establishment weighs in. Sure enough, creativity and innovative means to education get chucked out the window. I will not allow such unfounded charges that mischaracterize the underlying bill to go unchallenged.

There can be a legitimate debate, and should be, but my constituents overwhelmingly believe local control and local flexibility is a better course for American education.

I am very pleased with the underlying legislation with which the Presiding Officer had so much to do in the drafting, and Chairman JEFFORDS showed such leadership in the committee. It is a bill on which we can stand with pride. I do not want to trade in or exchange the future for the past. That is what this debate is coming down to.

The substitute that is being offered is a return to the past. The underlying bill takes us in a new direction and pioneers new opportunities for American children. The vote on this substitute will be: Do my colleagues want to turn back to the past or do they want to go a new route or new direction for American education—a plethora of new programs or a new way? That is the question before us.

I look forward, as we continue this debate, for the Senate, following the lead of the American people, to say enough is enough; let's chart a new path; let's put trust in those laboratories of democracy in the States that have done such a marvelous job on welfare; let's give them the same opportunities in education. We will look back,

as we look back on welfare, in a few years and say we did right by the American people and, more importantly, the children of this country.

I again thank Senator WELLSTONE for his willingness to allow me to precede him. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, it is amazing, I say with a twinkle in my eye. I actually agree with my colleague from Arkansas on one thing: This really is a debate about the future and the past. I just think he has it mixed up as to which bill represents which.

I am looking at the people who are opposed to S. 2. I see the American Association of School Administrators, American Federation of Teachers, Antidefamation League, Council of Great Cities Schools, Leadership Conference on Civil Rights, Mexican American Legal Defense Fund, National Alliance of Black School Educators, National Asian Pacific American Legal Consortium, National Association for the Advancement of Colored People Legal Defense Fund, National Association of Elementary School Principals, National Association of Secondary School Principals, National Parent Teachers Association, National School Board Association.

What occurs to me—and I will try to say it differently than I said yesterday—is what we have is not bureaucratic or some top-down Government program, we have school board members; we have the PTA, parents, elementary school principals; we have high school principals; we have teachers.

One can argue that all these organizations do not represent all of the principals, all of the teachers, all of the school board members, and all of the parents in the country, but, with all due respect, they represent many of them. The reason my colleagues do not have any such support from the parents, the teachers, the school board members, and the principals at the local level is because S. 2 is not connected to what it is people are asking us to do.

I will again talk about what my colleague from Arkansas was talking about, which is past versus future. This is what they have for accountability. This is the sum total of the Republicans' accountability provision:

The Secretary shall renew the agreement for an additional 5-year term if, at the end of the 5-year term described in subsection (a), or soon after the term is practicable, the State submits the data required under the agreement and (2) the Secretary determines on the basis of the data that the State has made substantial progress—

Whatever in the world that is.

We turn back the clock 35 years. We abandon our commitment to poor children, to vulnerable children. We no longer have the specific commitment to migrant children and homeless children. Then the accountability provision is we wait for 5 years to see what

has happened to these kids, and then the Secretary determines, on the basis of the data, whether or not the State has made "substantial progress," which is not defined. This is hardly what I call a very rigorous accountability standard.

My colleague from Arkansas talked about the Workforce Investment Act. I wrote that bill with Senator DEWINE. I know something about that bill. Actually, it is a good example, but my colleague from Arkansas has made the mistake of assuming this was just a crude block grant program. That is not what we passed. It was a good compromise. Yes, we were able to go after some of the duplication and some of the bureaucracy. We also made sure there was a targeting and separate stream of funding for youth programs, for adult training programs, for dislocated worker programs, and I also think for veterans' programs.

When my colleague cites the Workforce Investment Act as an example of what we should be doing, it is precisely the opposite of what the majority party has presented. I will say it one more time, and then I will move on to a couple of other points in the positive. I first have to talk about what I am against, and then I have to talk about what I am for.

I am, as a Senator from the State of Minnesota, in agreement with the principals, school board members, the teachers, and the parents all across the country who oppose this legislation, S. 2, in part because it is an abandonment of the good commitment we made as a nation to our most vulnerable children. That, in and of itself, invites my opposition, and I believe it invites the opposition of most of the people in the country.

Secondly, when I look at the accountability language in S. 2, with all due respect, it is inadequate at best. Frankly, there is nothing there.

Now, my colleague is not on the floor now. Senator BROWNBACK is someone I am working together with on a good bill that is going to be dealing with the trafficking of women and children for the purposes of forcing women and children into prostitution and forced labor. It is an outrage. We are working together. But my colleague and other colleagues have said S. 2 is patterned after the welfare bill. He said: It has been a brilliant success, with the mothers working. And they are happy. People are working and happy.

For 2 years I have been trying to get a policy evaluation of what in fact is happening with the welfare bill. We do not know.

We know this. We have reduced the rolls by 50 percent.

We know this. We have barely reduced the poverty.

We know this. The vast majority of these mothers who are working have jobs barely above the minimum wage.

We know this. Mr. President, 670,000 more American citizens, many of them women and children, no longer have any medical coverage.

We know this. There has been a dramatic decline in food stamp participation.

We know this. The child care situation is dangerous. Many of these 2-year-olds and 3-year-olds, with their single parent working, are at home with someone who really should not be taking care of them or there are inadequate or downright dangerous child care situations.

We know all that. Can someone please give me the evidence for this being a great success?

We also know the Governors in the States are sitting on top of \$7 billion of TANF money, while the child care needs of these children—poor children—are not being met.

I have colleagues out here who are telling me that on the basis of what we don't know—and then on the basis of what we do know, which is that it has been really quite brutal what has been happening—we should use the TANF experience as the basis for moving toward this crude block grant approach. It does not make a lot of sense.

As a matter of fact, some of our Governors have actually used the TANF money with a little bit of a budget gimmickry for tax cuts. Some of the States are being called on the carpet.

Would it surprise anybody here that not all this money is going to poor women and poor children? That is the point, colleagues. Please do not bring that piece of legislation out here and say it is a brilliant success and that people are working and happy when there is no empirical evidence to support that at all.

So my first point is, it is a great leap backwards.

My second point is, the accountability provision of the Republican plan is pathetic.

My third point is, when we talk about block granting and patterning it after the welfare bill, the TANF experience, there is not a shred of evidence to support that. Whatever evidence we have would make us very weary of doing so, especially if we are concerned about how poor and vulnerable children might fare.

My fourth point is, the Workforce Investment Act is a great example of a bipartisan approach. I was proud to write that bill with Senator DEWINE. Why didn't we get an elementary and secondary education piece of legislation out here which was bipartisan? We would not have to have any of this debate.

Certainly, with the Workforce Investment Act, we did not abandon the idea that when it comes to certain groups of citizens, we make a commitment, and we do not just go straight to a block grant with no standards, no accountability, and no national priorities.

What will work is our alternative. My colleague from Arkansas took off after the Senator from Massachusetts—in a civil way; it is just a good debate—and said: Clearly, the Senator from Massachusetts, Mr. KENNEDY, is

for the status quo because he says we should focus on what works.

Honest to goodness, this is getting pretty nutty. That is what we should do. If we know that good teachers make for good education, we had better, I say to Senator KENNEDY, focus on what works. If we know that smaller class sizes make a real difference, we had better focus on what works. If we know that investing in crumbling schools makes a difference in terms of building the morale of our children, we had better invest in what works. If we know that programs such as the Eisenhower program for math and science, and other professional development programs, lead to good teachers and good teaching, then we had better be investing our resources in this area.

Are my colleagues suggesting that actually we should invest in what we don't know? Are they saying our priorities should reflect what we don't know? Are they saying that because we have an alternative out here which focuses on teacher quality, professional development, a teacher corps to get more teachers in low-income school districts and low-income schools, class size reduction—I am sorry, I forgot parental involvement and investing in dilapidated schools, with some school construction money—all of which are priorities that the people in our States ask us to please focus on, all of which are programs that have a proven record and work, all of which is the direction in which our constituents tell us they want us to go, all of which is about good education for children in our country—that we represent the status quo? If so, I want to be called the "Status Quo Senator."

But I will tell you something. If this is just a cute semantics debate, I would rather be on the side of programs that work, I would rather be on the side of good policy, good public policy, than on the side of turning the clock back 35, 40 years to some crude block grant program where all of a sudden we abandon some key national commitments to the most vulnerable citizens and where we are, frankly, unwilling to make the investment in the very decisive priorities and programs that work and really make a positive difference in children's lives. That, to me, colleagues, is what this debate is all about.

Because my colleague from Wisconsin is out here, I will just take a couple more minutes.

On the parental involvement, I have worked on this. We have been doing some preliminary discussion. One of the things I have worked on is ways in which we can creatively use some of the nongovernmental organizations, community groups that have credibility with parents, to get them more involved. I am excited about that.

As long as we talk about welfare, I promise my colleagues, if this bill is out here for a while, I will have this policy evaluation. I am telling you—I say this to Senator JEFFORDS from

Vermont—we have to have some honest policy evaluation of what, in fact, is happening because pretty soon we are going to be pushing everybody off the cliff. By the year 2002 there isn't going to be any of this welfare assistance to any families. Let's know what is going on.

I will have an amendment that deals with counselors—if it is not 100,000, then 50,000 more counselors—in the country. I tell you that we can do a much better job. The ratio is about 1 counselor per 1,000 students. That does not work. We can do a much better job of having an infrastructure of good counselors in our country that can make a real difference for kids, especially kids who are at risk, especially kids who are struggling with mental health problems. It is terribly important.

I will have an amendment that provides some support services for kids who witness violence in their homes. If my wife Sheila were out here on the floor, she would say: PAUL, repeat the statistic again that every 13 seconds a woman is battered in her home. Home should be a safe place. These children see it. They come to school. They have not slept through the night. They are depressed. They act out. They are really struggling.

I say to some of the pages, you can imagine what it would be like. I pray it never happens to you. We need to get some support services to those students.

I have several amendments that deal with the dicey and tricky question about whether or not we are just going to have standardized tests that hold kids back, as young as age 8, or whether or not we are going to: A, make sure these children have the same opportunities to succeed and pass these tests; B, to take into account learning disabilities or limited English proficiency before we start flunking 8-year-olds in the country; and, C, whether or not we are going to take into account the fact that everybody who works in this field says it is an abuse to rely just on one single standardized test.

Then finally, also, I am going to have an amendment that deals with urban education, Ed-plus, which is the counterpart to the rural education initiative, all of which I am for. But we want to make sure—this is what the Democratic alternative includes in it—this recognizes the challenge facing urban schools and enables the urban schools to build on some of these programs with more resources. We need to do that.

Mr. President, I conclude with what I think, frankly, is the strongest part of my presentation. This is the accountability provision of S. 2. Wait 5 years and then the Secretary determines, on the basis of the data, that the State has made substantial progress. Substantial progress is not even defined. We do a lot better.

Mr. President, the cargo in those yellow school buses is much more precious

than all the gold in Fort Knox. We can do better. We can do much better for our children, and our alternative does better for our children.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, Senator DODD is to be recognized at this time.

Mr. FEINGOLD. Mr. President, Senator DODD is not present. I ask unanimous consent that I be recognized at this time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, following Senator WELLSTONE's excellent remarks on education, I want to speak on the bill before us. I rise to add my thoughts to this important debate about the future of the Federal role in the education of America's children.

The Elementary and Secondary Education Act has shaped the Federal role in public elementary and secondary education for 35 years. Yesterday, we began the debate on a new 5-year reauthorization of this vital set of programs. This debate will also set the tone for the Federal role in education for the next 5 years and beyond.

The legislation that this Congress passes this year will affect today's first graders well into their middle school years, and will carry today's eighth graders through to their high school commencements.

We hold the future in our hands, Mr. President. It is our responsibility to find the right balance between local control and Federal targeting and accountability guidelines for the federal dollars that are so crucial to local school districts throughout the United States.

Ninety percent of American children attend public schools. During the 1998-1999 school year, the most recent year for which statistics are available, more than 879,000 young people in my home State of Wisconsin were enrolled in public education, from pre-school through grade twelve. I am a graduate of the Wisconsin public schools, and my children have also attended them.

Mr. President, just a few short years ago the members of the other body considered eliminating the federal Department of Education all together. Some tried to evoke the specter of a federal takeover of one of the basic responsibilities of local governments—the education of our children. But those voices have faded in recent years as the Department of Education, under the dedicated leadership of Secretary Richard Riley, has regained the confidence of the American people and dispelled the charge that it was out to usurp the authority of the local school districts and the states.

I am deeply concerned by the persistent calls by some in Congress and elsewhere for a drastically limited federal involvement in our children's education. While I strongly support maintaining local control over decisions affecting our children's day-to-day classroom experiences, I am concerned

about the lack of appropriated targeting of funds and accountability for results in the bill that is currently before the Senate.

Mr. President, the legislation before us today has generated vigorous debate in my home state of Wisconsin. I have heard from parents, teachers, school board members, school administrators, school counselors and social workers, state officials, and other interested observers. And there is one central theme in their comments: The United States Congress must not undermine the targeting and accountability measures that currently exist at the Federal level. These provisions are paramount to ensuring that no students are left behind and that all schools perform up to the standards set by the states and by local school districts.

I have also heard from a number of my constituents that this Congress should do nothing that would undermine all the good that the federal government's support has helped the states and local school districts achieve in public education over the last several years, in areas including smaller class sizes, technology education, standards-based reform, and accountability for results.

The education community in my state is also deeply concerned—and I share this concern—about provisions in this legislation that would shift scarce Federal dollars away from the public schools they are intended to support.

I fear that this disturbing trend toward block granting and vouchers will further widen the educational divide in which too many of our students are caught. We need to focus our scarce resources on rebuilding and reforming our public schools, not on tearing them down.

I worry that this block grant and voucher-driven weeding-out process will leave behind the most vulnerable students—those from low-income families, those with special needs, those at-risk for dropping out, and those with behavioral problems—those very students that title I was created to help. We cannot and must not abandon our most at-risk students in dilapidated schools with outdated textbooks and few resources. We can and must do better for all of our children. The answer is not to funnel scarce resources away from the public school systems that have served this country so well for so long.

And those who think vouchers will lead to real school choice are sadly mistaken. Private schools are already full to capacity and many have extensive waiting lists. We cannot simply shift students from public schools to private schools and think that all of the problems will magically disappear.

Mr. President, we will hear a lot of terms batted back and forth during this debate.—Accountability. Flexibility. Targeting. Parental involvement. Class size. Construction and maintenance. Teacher quality. Professional development. After-school pro-

grams. Education technology. School choice. School reform.—These concepts are at the heart of this debate. The question lies in how these terms are defined. I sincerely hope that the members of this body will be able to leave behind the partisan rancor that unfortunately pervaded the Health, Education, Labor, and Pensions Committee's consideration of this bill and come together to do what is best for all of our Nation's children.

I would like to take this opportunity to discuss some of my own priorities—and those of my constituents—for this important piece of legislation: class size, targeting, professional development, music and the arts, and the impact of this bill on preparation for post-secondary education and entrance into the job market.

I regret that this bill as reported by the HELP Committee does not contain the authorization for the funds necessary to implement the third year of the President's initiative to reduce class size in the earliest grades. And I particularly regret that this common-sense proposal was defeated in committee on a straight party-line vote.

My home State of Wisconsin is a leader in the effort to reduce class size in kindergarten through third grade. The Student Achievement Guarantee in Education program is a statewide effort to reduce class size in kindergarten through third grade to 15 students.

The SAGE program began during the 1996-1997 school year with 30 participating schools in 21 school districts. Now in the program's fourth year, there are 78 participating schools in 46 school districts.

According to the recently-released program evaluation for the 1998-1999 school year, conducted by the SAGE Evaluation Team at the University of Wisconsin—Milwaukee:

First grade students in SAGE classrooms statistically outperformed their peers in comparison schools in language arts, math, and total scores on the post-tests administered in May of 1999. And twenty-nine of the thirty top-performing classrooms for which two years of data were available are SAGE classrooms.

Case studies conducted at three SAGE schools during the 1998-1999 school year found that, "individualization is made possible because having fewer students enables teachers to know students better, it reduces the need for teachers to discipline students, which results in more time for instruction, and it increases teacher enthusiasm for teaching."

The case study also found that: "A product of individualization in reduced size classes in addition to academic development is student independence, thinking, and responsibility."

The results speak for themselves, Mr. President. Smaller classes translate to better instruction and better achievement.

I will support efforts to include this important program in this bill.

As I noted earlier, one of the things that my constituents have repeatedly told me is that the targeting mechanisms that ensure that vital federal dollars reach those students who need them most are a crucial part of any ESEA reauthorization. Time and time again, my constituents have expressed opposition to any effort to block grant title I and other programs under ESEA.

Title I pays for supplementary educational services for economically disadvantaged students, and those funds are targeted to the schools with the highest concentrations of eligible students. During the current school year, local school districts in my home State of Wisconsin will receive more than \$125 million in title I funding. According to the Department of Education, ninety-five percent of the nation's highest-poverty schools receive this vital title I funding.

I am deeply concerned about the so-called "portability" provisions in this bill, which would allow ten states and twenty local education agencies in other states to distribute their Title I money on a per-pupil basis rather than to the schools with the greatest need. This funding formula would allow parents to choose to use their child's share of these "portable grants" for supplementary services at their public school or for private tutoring services, which could be provided by private or religious schools.

This formula will all but ensure that those schools with the highest concentration of poor children in the ten states and twenty districts using the portable grants will no longer be able to count on this crucial Title I support.

And this provision also raises serious constitutional questions about the use of public funds for tutoring provided by non-public sources.

In addition, there is no clear way to determine accountability for the success of those children whose parents opt for non-public tutoring services.

I will support efforts to eliminate the portability language and ensure that Title I funding continues to be targeted to the schools with the highest concentrations of low-income students.

I have also heard a great deal about the importance of federal dollars for professional development for teachers, administrators, principals, and school counselors and social workers. We must do everything we can to ensure that teachers and other school professionals have access to the resources they need to continue their professional development. We often hear people say that we should encourage our children to become "lifetime learners." We must also ensure that those who educate our children have access to quality professional development programs that enhance their effectiveness and give them access to the latest methods in teaching, administration, and counseling.

In that same regard, we must ensure that our children have the opportunity to receive a well-rounded education

that is both academically challenging and rich in opportunities to study music and the arts. I am deeply concerned that many school systems around the country have decided to eliminate, or to severely scale back, their arts education programs. Research has shown that arts education can help students to become better learners in all subject areas.

The arts given students the opportunity to express themselves in ways that are distinct from those provided by the academic subjects. Students learn valuable lessons including cooperation, hard work, dedication, and the desire to strive for excellence—lessons that will help them in other areas of their education and in other aspects of their lives.

We must do all we can to prevent local school systems from having to choose between maintaining the arts as a vital part of their curriculum or building a new science lab. Both are important for our students, and one should not have to be sacrificed to have the other.

Finally, Mr. President, we must ensure that high school graduates have the skills they need to be successful adults, whether they choose to go on to college, technical school, the military, or into the job market.

I am pleased that the HELP Committee adopted an amendment offered by the Senator from New Mexico, Mr. BINGAMAN, which authorizes additional funding to expand a very successful existing program which increases access to Advanced Placement classes and exams. It is extremely important that we continue to strive to give all students, regardless of their economic status, access to these challenging academic courses.

And it is important that the Congress also help to provide the financial assistance that so many students need to continue their education. For that reason, I will continue my efforts, along with the Senator from Massachusetts, Mr. KENNEDY, and others, to increase the individual maximum Pell Grant award by \$400.

Mr. President, I wish to again remind my colleagues that this bill currently before us will affect 90 percent of the school-aged children in this country. While many of them have never even heard of the Elementary and Secondary Education Act of 1965, they will feel the impact of its pending reauthorization in their classrooms beginning next fall. I welcome this important debate. I hope that we can produce a truly bipartisan bill that will provide the financial assistance that our children deserve and the appropriate targeting and accountability measures that our states and local school districts continue to call for. And I hope we will do this without creating a system of block grants and back-door vouchers that will leave our most vulnerable children behind.

I thank the chair. I yield the floor.

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

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the order of recognition be Senator GORTON, followed by Senator DODD and Senator ASHCROFT, and then Senator HARKIN.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Mr. President, may we amend that for this side? The order on this side would be Senators DODD, KERRY, SCHUMER, HARKIN, and DORGAN.

Mr. JEFFORDS. We are trying to alternate.

Mrs. MURRAY. We will alternate, obviously, between the sides. But that will be the Democratic speakers.

Mr. JEFFORDS. That is fine.

Mrs. MURRAY. The order on the Democratic side, obviously alternating with the Republican side, would be Senators DODD, KERRY, SCHUMER, HARKIN, and DORGAN.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. JEFFORDS. With the understanding that we will be intersecting in between with a Republican as announced.

The PRESIDING OFFICER. The Chair's understanding is that the speakers will alternate starting with Senator GORTON in the order listed.

The Senator from Washington is recognized.

Mr. GORTON. Mr. President, this has been already a remarkably substantive debate, with, I think, a clear delineation of education philosophies on each side.

The nature of the debate and the degree of heat that accompanies it has, I think, obscured one overwhelmingly important factor; that is, without exception, the Members on either side of the aisle have genuinely desired to improve the education system of the United States and desire a Federal participation that enhances that growth and that improvement. This, of course, is a wonderful characteristic of the debate where we are debating means and not ends.

As well, I hope, before the debate has concluded next week, or whenever we complete it, there will have been a reaching across the aisle that divides the two parties on proposals that do not unite everyone on both sides but at least will unite a sufficient number of Republicans and Democrats so that the last vote we take will be a vote on final passage of an education-related bill that can take the next step toward reaching the goals in which all Members join. That is not to underestimate the differences between us.

I found the statement made by the Senator from Wisconsin to be particularly eloquent, even as I disagreed with almost all of its particulars. If I may be permitted to do so, I think I characterize the difference as being a difference which relates primarily to our degree of trust and confidence in men and women for whom education is both a profession and an avocation, men and women who spend their lives as edu-

cators, as teachers, as principals, and superintendents.

This debate also expresses a difference with respect to our trust and confidence in parents to seek the best possible education for their children, and in those men and women who share with Members of the Senate the willingness to suffer the slings and arrows of political campaigns often hotly contested but, in their case, running for membership on school boards across the United States, most of whom, unlike us, are not compensated or paid for the job they undertake.

The real difference—and it is a difference—illustrated by the relatively narrow two amendments before the Senate at the present time, one relating to Straight A's and the Democratic alternative, is the degree of trust and confidence we have in allowing those decisions to be made by people who know the names of the children they teach.

The Senator from Wisconsin has set out in detail his priorities, the clear implication being in every single case that if we don't set these requirements, the arts will be overlooked, underprivileged children will be overlooked, teacher training will be overlooked; that some amorphous blank check somehow or another will not be used for primary education purposes.

I find it difficult to understand this kind of difference. After all, the men and women who are voters in the United States, who voted for us, are the same voters who vote for these elected school board members who, in turn, employ the professionals in education. Why is it they elect Senators who are sensitive to all of these needs and school board members who are not?

One of the two subjects before the Senate now is Straight A's. It isn't the Straight A's that I started out with, by any stretch of the imagination, either when I introduced it under that name more than a year ago or when its precursor was voted on in this body some 3 years ago. It is, among other things, only an experiment limited to 15 of the 50 States in the United States of America. But for those 15 States, it says essentially, we trust you. We trust the education authorities in each one of these 15 States not only to use the money as wisely as we do in our categorical aid programs but more wisely.

However, in spite of the use of the phrase "blank check," the check by no means is blank because in order to take advantage of Straight A's, in order to be one of these 15 States, the State must set up a testing system, an achievement system that measures how well its students are doing, must propose and sign a contract that the achievement level will rise as a result of their being allowed to use this experiment and that they risk losing this additional authority and trust if they do not meet the commitments they make in that original contract.

Mr. KERRY. Will the Senator yield for a few questions to explore what the Senator has just said?

Mr. GORTON. For a brief period, yes. I do want to finish my remarks, but go ahead.

Mr. KERRY. I thank the Senator, and I will not be too long.

We have come here for several years in a row with this impasse. The Senator from Washington and I have met privately trying to have a discussion about how we could find a meeting of the minds. I certainly don't question his desire to have kids in the United States educated.

Obviously, there is a difference between us, as he has said, in our confidence in what may occur. As the Senator from Washington knows, when title I began back in 1965, for instance, it was a block grant. Indeed, in Memphis, TN, moneys were used to pay for swimming pools. In Oxford, MS, moneys were used for cheerleading uniforms. In Macon County, AL, moneys were used for football uniforms. In Attala County, MS, two lagoons for sewage disposal were constructed with title I money.

The record of States not choosing to reduce class size or have afterschool programs or improve teacher quality is already there.

The question I ask the Senator, if everyone on his side is so willing to pass this bill with the notion there is a level of accountability that they will put in place for improving education, why would they not be willing to adopt a series of areas which we could all agree on to represent the top priorities in America for education, such as getting better teachers, improving teacher quality, having afterschool programs? Isn't it possible to agree on a broad categorization that does not tell local districts how to do it, doesn't tie their hands to one particular choice, but gives them a sufficient range of options? At least we know the Federal dollar will not be subject to the kind of abuse it was once subjected.

Mr. GORTON. The Senator from Massachusetts could not have asked a better question. He does remind me of the fact that he and I, with a number of other Senators in both parties, have had, over the course of last 2 or 3 years, a number of meetings in private to discuss whether or not we could reach just such an agreement.

We haven't reached it yet. That is obvious from our place on the floor of the Senate at this point. As I think he knows, negotiations involving at least some Republicans and some Democrats with that goal in mind continue at the present time.

I think it is the nature of our common humanity that we don't usually reach agreements on controversial issues until we are at the point of having to make final votes on these issues. I have every hope that we can.

In connection with the two proposals on the floor today, however, they state our dramatically opposing philoso-

phies. My answer to the specifics of the question asked by the Senator from Massachusetts is very simple. He, it seems to me, is examining a beetle stuck in amber, a fossil from 35 years ago, with five examples out of 17,000 school districts today that he believes did not use money properly when they could use it as they desired.

But we have had 35 years of experience since then, with increased Federal controls, increased Federal mandates, increased numbers of forms to be filled out. And they have not succeeded, in title I, in reducing the disparity between underprivileged students and the common run of students who do not fall into that category. Yet we see the proposal on which we will vote later this afternoon, that side of the aisle saying the problem is not that we have too many rules, we have too few, and, where we had 100 pages of regulations, we need 200 pages of regulations.

While we can all say we wish for our schools better teachers, more teachers, more computers, and a number of other items, what we see in a proposal of categorical aid is each school district needs so many more teachers, each school district needs so many more teacher training programs, each district needs so many more hours of art instruction, for example, rather than saying within these broad categories each school district ought to be able to decide the balance among each of those primary needs.

We also see, obviously, that there should be some form of accountability. We believe we have the ultimate form of accountability, that in Straight A's, in that portion of this bill at least, we say the bottom line is: How well educated are your students after they finish this program? Is there an objective measurement of their educational achievement? Has that improved? That seems to me to be a policy accountability against the process accountability we have required, increasingly, in the course of the last several years.

Mr. KERRY. Mr. President, I appreciate the answer.

I do not want to abuse the time because I know my colleagues are lined up to speak, but if I may ask further, I hear what the Senator is saying, but the examples I chose are examples of when it was a block grant. We changed the block grant precisely in order to obviate those kinds of examples. Bringing it to modern times, I know the Senator will agree with me that everyone in the Senate is not debating education because it is a nonissue in America.

No one would suggest that every Governor in this country is doing as well as some other Governors in the country. No one would suggest—I am not going to name States here—there are not some States that are light years behind other States in what they are willing to adopt.

So even measured against the modern system, I agree with the Senator from Washington. Let's tear apart some of the bureaucracy. Let's rip

away some of the layers and tiers, let's minimize the paperwork. But let's guarantee we are working together in a more genuine fashion. The fact that we have bills on the floor that are, frankly, as far apart—this is the first time in the eight times this bill has been to the floor that there is as little bipartisan effort at this stage as there is this year, a time when education is far more important than it has ever been in the history of the country.

So I ask my colleague if it is not possible, if we somehow cannot find a more reasonable middle ground where we achieve goals of both sides which are essentially to provide the best opportunities for our kids.

It seems to me, when you are looking at a 5-year period before you, in effect, measure what is happening, I am constrained to ask the Senator how that 5-year period helps a kid who goes into that foundational stage of education, or even a high school student? You go into freshman year and you are gone from high school before anybody has evaluated the program at the Federal level to make a judgment whether or not the Federal dollar is being well spent.

Surely the accountability mechanism in the Democratic alternative cannot be that unappealing to those on the other side who want to give local administrators power but at the same time be more responsible for the Federal dollar. I wonder why it is, in fact, so unacceptable, measured against a 5-year block of time where nothing takes place.

Mr. GORTON. I repeat the first half of my answer to the Senator from Massachusetts. I believe there are efforts—I hope he is a part of those efforts; I can assure him this Senator is—to reach just such an agreement in which each side would accommodate to some of the highest priorities of the other side, whether they are substantive or procedural with respect to accountability.

But I think the reason the differences are so great as against what they were 5 years ago, or 10 years ago, is that, if I may say so, on this side of the aisle there is a greater recognition that we are on a dead-end street, that 35 years of the kind of programs with increasing rules and regulations that have led us to this point simply have not worked. There is a greater disposition over here to say, at least in some States we ought to allow people to do something radically different from what they have before them.

The Senator from Massachusetts is 100-percent correct. Some States are far ahead of others, even with the degree to which their hands are tied by present Federal regulations. My profound fear is, if we allow even more differentiation, the next time we come to renew this act, we will have a far better understanding of what works in the real world and what does not work in the real world.

What I wanted to say, not only in connection with Straight A's but in

connection with title I portability, in connection with the Teachers' Empowerment Act, in connection with the Performance Partnership Act that comes to us from the Governors, that is a part of this bill, and of course in connection with Straight A's, none of these experiments, or these changes of direction, is mandated on any State of the 50 States in the United States of America. Any State education authority, any State legislature that does believe it is making more progress or will make more progress with essentially the present system—tweaked a little bit—is completely free to do so. Only 15 States can take Straight A's. I think at present only 10 States can take title I portability, plus a few other school districts.

Mr. KERRY. Mr. President, I will have more to say. I thank the Senator for interrupting his remarks. My colleague has been waiting a long time. My only comment is that Ed-Flex was passed. It allows radical departures. And very few Governors have even taken advantage of the Ed-Flex that we passed. We need to look at the reality of what is happening. I thank the Senator very much for his engaging in this dialog and thank my other colleagues for their patience.

Mr. GORTON. I appreciate the comments of the Senator from Massachusetts. I do think they lent clarity to the debate in which we are engaged at the present time. I am fairly close to the conclusion of my remarks.

Again, it is essential for both Members and the public to understand that we are not mandating a change in the Federal system. We are enabling a change in the Federal system. We are enabling a combination of three or four or five changes in the Federal system. If I find any proposition difficult to understand, it is the proposition that somehow or another we know so much more about the subject than do the Governors and legislators of the various States, the elected school board members, and the full-time school authorities in 50 States and 17,000 school districts across the United States of America.

It is true that the virtue of humility is more highly praised than practiced. No place is that more true than it is here in the Senate. But it does seem to me that a little bit of humility about these education policies is very much in order here, a little bit more trust and confidence reposed in the people who devote their entire lives to this field of education—something that we do not.

The comments of the Senator from Massachusetts were very well placed and very thoughtfully stated. By the time we reach the end of this debate, I hope we will be in a position that we simply will not have all members of one party voting one way and all the members of the other party voting the other way. I hold that to be a very real possibility.

In the meantime, it is vitally important to make clear the distinction be-

tween those with all the eloquence of the previous speaker from Wisconsin whose goals I totally share but whose means I do not share at all, who sets out what he thinks are priorities the Congress is better able to set, not in general terms but in very specific terms, for every school district across America.

Our view is that we seek a better educated populace in the 21st century, children better prepared to deal with the marvelously complex challenges of that century by allowing our schools the greater right to innovate, a greater right to meet these challenges than we grant them at the present time.

The current manager of the bill and I represent the same State. While we disagree on these issues, we agree on the wonderful innovative things going on in the State of Washington at the present time. I simply wish to grant more scope to that innovation. I hope my State will be among the 15 because I trust the educators in my State and school board members in my State to make the right decisions about their children and about their schools.

I must say, I have no less confidence than the people who hold those positions in the State of the Presiding Officer across my eastern borders, or, in that case, the State of Massachusetts represented by my good friend. There at least is the debate. For tomorrow, I hope we have a greater degree of accommodation which does and must retain this degree of added authority, added trust, and added confidence in our school authorities.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I see a number of my colleagues. I know time is running along before the first vote will occur. I will try to move along and not delay my remarks or be repetitive.

Unfortunately, there are some significant distinctions between the alternative and what is being proposed in S. 2. I always think it is worthwhile to lay some basic facts before our colleagues, which I have done in the past, but I believe it deserves repeating.

Fifty-three million children every day go to an elementary school or high school in America. About 48 or 49 million of the 53 million walk through the doors of public schools in all 50 States and territories of the United States; about 4 to 5 million go to a nonpublic school in America. Our principal responsibility is how do we improve the quality of public education in the United States.

We spend less than one-half of 1 percent of the entire Federal budget on elementary and secondary education. I expect that comes somewhat as a surprise to the majority of Americans that we spend even less on the education of 90 to 95 percent of all children in the United States than we do on foreign aid, and more speeches are given on education on a weekly basis than any other subject matter. Most of those speeches begin with how nothing

is more important to the well-being and future of our Nation than the education of our children. Yet less than one-half of 1 percent of the entire Federal budget is spent on improving the quality of education for America's children. The rest of the education money comes from our local communities and States.

We are not much of a partner when it comes to the education of America's children. I do not think the question is whether we are doing too much. I happen to subscribe to the notion we are not doing much at all. Of the entire education budget, the Federal government provides 7 percent—a little less—of the total dollars spent on education. Ninety-three percent comes from our States and communities. We are involved with 7 percent of that education budget, less than one-half of 1 percent of the entire Federal budget of the United States.

We really do not do much for education. We decided 35 years ago that it would make sense to at least try to do something about the poorer schools in America. Why? Simply, we came to the realization that on a State-by-State basis, there was not a great allocation of resources to the poorest schools, both urban and rural. In fact, States were spending about 60 cents, 63 cents on poor children. With our 7 cents on the dollar, we spend about \$4.50 on poor children as opposed to the Governors across the country.

We tried to target these resources to those areas, a rifle shot into the areas we thought might do the most good to make a difference. It has been said over and over this afternoon that, in 1965, they began with the idea of turning over a bunch of money—basically a block grant to the States—and said: Get this money back to those poor communities.

As my colleagues just heard from our colleague from Massachusetts and others, the track record of what happened to those dollars was abysmal, it was embarrassing, it was scandalous. Money that was supposed to go to these poorer schools to improve the quality of education went, in case after case, to anything but that. So we decided collectively—again not in any partisan way—that we ought to come up with a better idea of getting the resources into these tough nonperforming schools in rural America and urban America.

We began the process targeting dollars. That is where we are today. What is the difference between what has been offered by the distinguished minority leader, Senator DASCHLE, and others and what is the underlying bill?

First and foremost is this notion of block grants. It is a big difference, unfortunately. I wish it were not. I wish we could work out some differences, but apparently that is not possible, despite efforts over weeks and weeks to iron out the differences.

What is the difference? A block grant is turning a large sum of money over to

the Governors, which is what the underlying bill does, with the hopes the Governors are then going to transfer those resources to the local communities.

We, on the other hand, think that we are better off targeting those dollars directly back to the local community. Why? We happen to know—my good friend from Missouri is a former Governor—too often when the political debates occur in the State legislatures, it is hard. Sometimes the poorest areas do not have the political muscle to get the necessary resources. It is basically a revenue sharing program. They fight over scarce dollars even at the State level. They end up not doing what I know my colleagues who advocate block grants want to happen.

The fact is, in too many States, those dollars end up going off in different directions. As a result, we do not have any accountability. We are the ones who said you do it at the State level, you identify the needs, you come up with a plan, and at the end of 5 years, we will determine whether or not, based on your criteria, you have done it. That is hardly what I call a tough accountability standard when it comes to tracking the 7 cents on the dollar that we are providing for elementary and secondary education.

We came up with an alternative to S. 2, the underlying bill. Who opposes the underlying bill? We do, the Senator from Massachusetts, myself, and the Senator from Washington, but that is not terribly relevant. Also opposing it is the Council of Chief State School Officers, the National Association of Elementary School Principals, the National Association of Secondary School Principals, the National Parent-Teachers Association, and the National School Board Association.

Who do my colleagues think these people are? Put aside the teachers' unions everybody gets fired up about. What about the locally elected school boards? Does anyone think they know anything about education?

Are they blind to all of this? Are parent-teacher associations some little special interest groups off in a corner that are trying to squeeze out some dollars for themselves? These are the people we represent. These principals, these school boards, these PTAs, they are saying this underlying bill is a bad idea. We are just giving voice to their concerns, identifying what they have said are the reasons to oppose this, and finding the common ground that will allow us to develop a program. We try to do this with the alternative which we will vote on shortly. It will get these scarce dollars to the areas that need them the most.

In a sense, what we are doing with S. 2 is walking away from the partnership, as limited a partnership as it is, with the scarce dollars we provide. We are now going to walk away from that. We are saying to these local communities: You do not know what you are talking about, the things you told us

that you thought would work that we tried to incorporate.

Our good friends on the other side of the aisle are saying: Those school board members, those PTA members, those school principals, they do not know what they are talking about. We know best. I respectfully suggest that is a certain sort of arrogance.

Our bill requires and depends upon what we are getting from the local officials who know what they are taking about and have asked us to approach this problem in the way we have offered here today.

Under the plan offered by our colleagues on the other side, as I mentioned a moment ago, the Governors would identify "educational priorities"—that is a quote from the bill—and over the next 5 years spend Federal funds on those "priorities" without any accountability for results. We go 5 years? And then we get some sort of accountability back?

Governors would also be able to reallocate dollars. There would be no targeting of resources. This is ludicrous. Given what we know from the General Accounting Office, States provide an additional 63 cents, I mentioned earlier, for each poor student. That is the history—63 cents for every poor child in the State. The Federal Government provides \$4.70 or more. So we block grant a lot of what we are talking about here. Again, given the track record of our States in reaching these poor communities, it does not happen.

Block grants also weaken the focus on key areas of national priorities and obligations. Does anyone really think—we have all been around politics long enough. How vibrant a constituency do you think homeless children are? Tell me about the lawyers they hire. What political action committee do homeless or migrant children have? Does anyone know of a political action committee that raises money for homeless kids or migrant kids or title I kids? I do not know of any. Yet we are saying we are going to block grant these dollars for migrant children and homeless children, and we will leave it there in the State capitals. And don't worry, it is going to get to them. There is no track record of that at all. In fact, the track record tells us a completely different story. The track record says it does not get to them.

If we truly care about what our mayors and our school boards and our PTAs are saying in these communities where these kids live, they have asked us to follow a pattern that allows these dollars to go directly to them. This shouldn't be any great revelation.

I do not claim any one State is necessarily better than another. The fact is, if you are a homeless kid or a migrant kid or a poor kid or a title I kid, the likelihood that you are going to end up getting your share of the \$1 is pretty small. We recognize that here. The school boards recognize it. The PTAs recognize it. That is why they oppose what is in S. 2.

Don't believe me. Don't believe my colleagues who have stood up and argued for this. Listen to the voices of the people who come from your States. It is the PTAs and the school boards that are saying: Get this money directly back to us.

Our bill acknowledges and supports key national priorities and priorities for parents. We know our involvement is limited; as I said, 7 cents out of a dollar that is spent on education. But we try to leverage those dollars to national needs. So our 7 cents actually, in many cases, leverages a bit more of local or State dollars in these areas.

National priorities: We do not make up the list of national priorities. This was not somehow drafted in a back room here or in the Democratic National Committee or the office of the minority leader.

Class size, school infrastructure, educational technology: go back to any community you reside in in America and ask whether or not those are important issues. You will hear your constituents say that they are. For the millions of kids who go to public school every day, the teachers will tell you, particularly in serving disadvantaged kids where these problems are huge, that class size, technology and the key issues.

I have often cited to my colleagues in my home State of Connecticut—we are a small State. I look around the room. There are a lot bigger States geographically represented here. Our State is 110 miles by 60 miles. San Diego County is bigger than my State graphically. We are also the most affluent State in the United States on a per capita income basis. I could take you to communities in my State that are just amazing in terms of what my local communities provide for in terms of an educational opportunity for children. Public schools, almost compete with college campuses in terms of language labs, computers, and the like.

I know of one such community that ought to be a model for what every public high school ought to look like in America. In 16 minutes or less, I can drive you from that school to an inner-city school in Bridgeport, CT, Fairfield County—for those familiar with my State, they know Fairfield County is a very affluent corner of my State. But in 16 minutes, I can take you from that school to a school where there are about four computers for the entire student body, cops on every corner, and teachers that have 20, 25, 30 students in a classroom.

So I have two constituents—high school students—living 16 minutes apart from each other with hugely varied educational opportunities, and my State does a pretty good job.

We provide the exact same salaries for teachers who teach in Bridgeport or some other area. But there is a great disparity. We wrestle with that in my State.

What we are saying with this bill, or trying to say, is that back in that community—I am not going to be able to

make it absolutely equal, but I would like to get some resources into that school.

You have to trust your good Governors. The Governor of my State and I are friends, who are in different parties. I like John, and my State legislature. But too often I know what happens. When it comes down to my inner cities, they just do not do quite as well. Those homeless and migrant kids, those poor kids, do not have the clout, and, too often, they do not get the resources.

So what we are saying with our alternative is we want to get those resources back into those communities to leverage those dollars.

Let me just briefly touch on teachers, if I can, and then wrap up. There are a lot of other areas to talk about. I know my colleagues want to talk about them.

Teachers are critical, we all know that, for success in schools. I come from a family of teachers. My father's three sisters taught for 40 years apiece in the public schools of Connecticut, one of them a Fulbright scholar. My own sister has taught for almost 30 years, teaching in the largest inner-city elementary school in my State—Fox Elementary School. My brother was a professor at the university level. I hear from him.

Teacher quality is critical. I think all of us agree on that. There is no debate about the importance of teacher quality. But consider, if you will, what these two proposals provide. I have already explained the difference in the block grants and how to get direct funding back into our communities in a targeted way. Let me just point out the difference on teacher quality programs in these two proposals that are before us.

The Democratic alternative which has been offered, provides \$2 billion to help schools recruit and retain high-quality teachers and includes an accountability provision to make sure all teachers are fully qualified.

Specifically, we require States to have a qualified teacher in every classroom by the fourth year after enactment of this bill—a specific requirement, an accountability standard. We will be able to see whether or not we have achieved it. The alternative that we propose would guarantee that communities receive substantial funds to recruit qualified teachers, provide qualified mentors for new teachers, provide professional development for teachers, and hold schools accountable for the results in that area.

We currently spend \$330 million on professional development. The Republican proposal to the alternative ignores this and only requires a portion of the \$330 million be spent on these activities. If you want to have teacher quality, you have to invest in it. It does not happen miraculously. Our bill takes funds directly to \$2 billion.

Under the committee proposal, you cut back on the \$330 million we already

have, and provide only a portion of those dollars to go for teacher quality. To contrast our proposal with the underlying plan in S. 2, they block grant all of the funds for teacher quality. And then on top of that, it block grants the block grant by making it subject to the Straight A's—a block grant on top of a block grant for teacher quality. Again, you are going to write a check for the Governors and you are going to say to get teacher quality up in these areas. We all know what happens. Too often, those dollars don't end up going where they ought to go in these communities—targeted dollars, focusing on teacher recruitment and professional development or a block grant on a block grant for teacher quality.

We say you have to have a school with qualified teachers in each classroom in the fourth year of this bill. There is nothing in S. 2 requiring that at all—nothing. How do you get accountability following a block grant on a block grant? Where do I go to get the answer for that?

The amendment we are proposing—the substitute—offers real accountability. Our bill requires States to adopt tough accountability standards for all schools—one system, not separate systems. The underlying bill says you have accountability standards for title I schools and another accountability standard for non-title I schools. That is a nightmare. Talk about creating some inherent discrimination in the process where you have accountability standards for one set of schools and then a separate one for others. That doesn't make sense. Our bill requires States to adopt tough accountability standards. If all children are going to learn to high standards, as required, then let's subject all schools to the same high expectations.

We also call for a real step toward accountability requiring school report cards. This will give the public and parents the information they need to hold schools accountable. Where those schools fail, we send in a new staff, new people to operate them at the first opportunity. If that doesn't work, we create charter schools, and if that doesn't work, we shut them down. What does S. 2 do? S. 2 says at the end of 5 years you have to sort of report back to us and let us know whether or not the schools have met the State standard and what they consider to be a high degree of performance. Under the Republican proposal, you wait 5 years for accountability. I don't know how, with a straight face, you call that accountability. That is not what the American public expects with accountability. They want a higher standard than that.

Lastly, our amendment responds to calls made by parents for help after school. The provision in this bill that calls for the 21st century learning community centers started out as a \$1 million program 5 or 6 years ago. As a result of demand from our school districts, that program has gone to a \$500 million afterschool program in 5 years.

Our proposal has schools working with community-based organizations, such as the Boys and Girls Clubs and other organizations, to develop an afterschool program for an additional 2.5 million kids in this country. Five million children every day, right about at this time—on the east coast at least—parents go through the anxiety of wondering where their kids are. Ask a local police chief what hours they worry the most about where kids are involved, and they will tell you between 2:30 and 6:30 in the afternoon, not after 11 o'clock at night. This is the dangerous period.

We have an afterschool period here where we put a billion dollars into after school—up from a \$500 million—to expand that idea, so people have some security or a sense of confidence that their children are being taken care of. The Republican proposal is status quo on after school. We have to do better than that. This is one of the ways we can improve the quality and the safety of children, which parents worry about.

The two words "status quo" have been tossed around a lot in the last few days. I happen to think that is where the big difference is. We offer an alternative which is anything but the status quo. It is anything but that. I am so saddened, Mr. President. I have been on this committee for 20 years. I have never been in a situation where we didn't work out amendments together and craft a bill that was still subject to amendment on the floor. It was a bipartisan approach.

Education ought not to be an ideological debate. It is turning into that. My constituents don't walk up to me and talk to me about block grants and categorical programs, or about all these fancy formula issues that people talk about. They want to know whether or not you are working together with local people and trying to make a difference. None of us have a silver bullet here. None of us can say with total certainty what works or doesn't work. But we know, based on experience, particularly the experience of those who, day in and day out, dedicate their lives to the education of children, those who serve on our local school boards, those who serve on the Parent-Teacher Associations, those people who have become principals and teachers in schools.

Are we trying to demonize these people. These teachers are "evil" somehow, or they don't care about the kids. In the 30 years my sister has taught—she is blind, by the way, from birth—she has dedicated her life to education, when other options were available to her. She cares deeply about what happens to the kids she teaches. She tries to come up with better ideas each year on how to make it work better. Her experience is duplicated over and over again in community after community. To suggest somehow that school boards and PTAs and principals and teachers such as my sister don't give a damn about the kids is just wrong.

Our bill reflects their priorities, their ideas, and it is anything but status

I am saddened that we haven't been able to find common ground to listen to them and craft a piece of legislation here in the waning days of this session of the Congress—a bill that will have to survive for the next 6 years and will address these concerns.

Our schools are in trouble, and we ought not allow this to become so politicized that we can't come up with some common answers on how to address their needs. I urge adoption of the alternative and of some amendments that will be offered later on. Listen to the PTAs and the school boards. Listen to the principals. We give voice to their agenda. That is why they oppose the underlying bill. They oppose it. I oppose it but, more important, they oppose it. That is why the alternative is a far better idea. I urge its adoption.

The PRESIDING OFFICER (Mr. L. CHAFEE). The Senator from Missouri is recognized.

Mr. ASHCROFT. Mr. President, I appreciate the opportunity to address the important issues we are facing today regarding education. I admire the passion with which my colleague from Connecticut has spoken. I simply come to a different conclusion. I think that if we really admire those individuals who work at the local level, we won't distrust them to allocate the resources for their children in their communities, to make good decisions about how the moneys are spent. That is a real contrast to what we have had for quite some time.

I wish to give a few examples about how Federal education program requirements eat up resources and they consume a disproportionate amount of the time that States and schools spend on administration. You see, when my constituents come to talk to me, they don't ask me about the process. They are asking me about the product. They are asking me can the students read? Can they spell? Can they compute? Can they reason? They want to be focused on student achievement. They don't want to be focused on whether the money is going to the State or whether the money is going to the Federal bureaucracy. They want something to happen at the end of the process that changes the lives of individuals.

As we get into a culture that is more and more technically oriented, the need for education is elevated more and more. In fact, we need to make sure that the money not only gets to the local level, but when it gets there, it can do something of value. And we have a couple of big problems with our current situation. They are primarily these:

No. 1, we may get the money to the local level, but only what is left of it after the Federal government and the State bureaucracies consume it with their bureaucratic redtape. So there is a small stream, a very anemic flow, that goes to the local community.

No. 2, when we finally get it there, we are frequently telling people at the

local community that they have to spend it for something the local community knows isn't really very important.

Very few of us would want to get our help, for instance, medically, from someone who was 1,000 miles away and who didn't know anything about our condition. We would want someone who could examine us to find where our problems are and direct a therapy to address those problems. Federal programs from 1,000 miles away designed to make things uniform frequently don't work, and it is because the conditions are different in each community.

My colleague from Connecticut boasted of Connecticut's ability to provide uniform salaries for teachers. Then he talked about how unsuccessful it was to have the same salary in one place that you have in another place because the conditions are different. Maybe we should conclude something based on that—that uniformity may not be the answer. Maybe we should conclude that we should give individuals an opportunity to tailor, to adjust, to refine, and to define the resource and its application so that we could have a cause and effect, which is what we are looking for.

What is it we are looking for? We are looking for an elevated classroom capacity. We are looking for an elevated human capacity. We are looking for students who can read, write, spell, decipher, add, subtract, multiply, and divide. That is what we want from our schools. That isn't really different from the culture at large.

We have passed the century of mass products. Henry Ford was the master of mass production in the 1930s. He said, "You can have your Ford any color you want it so long as it is black." He had the best idea, and a centrally driven idea that everybody would drive the same color car. The problem was that 10 years later, after he had 75 percent of the automotive market, he had 50 percent of the automotive market, and he began to understand that it wasn't appropriate to try to tell everybody what they wanted or what their needs were. He changed his slogan. Instead of, "You can have your Ford any color you want it so long as it is black," he just shortened it to say, "You can have your Ford any color you want it"—because he knew he had better meet the need.

It is time for us to stop saying you can have your education any color you want it so long as it is bureaucratic. It is time for us to say we want to help you elevate the capacity of students. We are not interested in bureaucracy. We are not interested even in bureaucracy at the State level. We are interested in students. We are interested in classrooms. We are not interested in interest groups. We want to elevate the capacity of students.

Listen to what has happened in the Federal Government. The Federal Department of Education requires over 48.6 million hours worth of paperwork

every year in order for people to receive Federal dollars. That is the equivalent of 25,000 employees working full time. That is a real cost—25,000 full-time equivalents just processing Federal paperwork. There are more than 20,000 pages of applications States must fill out to receive Federal education funds each year.

The Department of Education brags that its staff is one of the smallest Federal Government agencies with only 4,637 people. State agencies, however, have to employ nearly 13,400 FTEs, full-time equivalents with Federal dollars to administer the myriad of Federal programs. That doesn't always reflect the total that is necessary at the local level. Hence, there are nearly three times as many federally funded employees at State education agencies administering Federal programs as there are U.S. Department of Education employees.

I think we need to be thinking carefully about getting the resources to the students. We are facing a situation today in the United States of America where more than half of all the employees in public education are outside the classroom. No wonder people are wondering whether or not we are getting a return on our investment.

Where do we want to focus our investment? Do we want to feed the bureaucracy and build the bureaucracy, or do we want to fund the classroom and elevate student performance? We have to look carefully at that.

In the State of Florida, it takes 374 employees to administer \$8 billion in State funds. It takes almost 400 to do \$8 billion in State funds. For the \$1 billion in Federal funds, it takes almost 300 employees. Basically, there are six times as many hours required to administer one dollar of Federal funds as there are hours required to administer one dollar of State funds. That puts us in a situation where there is a lot of money being spent on administration trying to make sure we have complied with all of the Federal requirements and working to satisfy the Federal mandate instead of working to educate the children.

I submit that we ought to look at these statistics. We find that it is not surprising that the Federal bureaucratic maze consumes up to 35 percent of Federal education dollars. These Federal programs and their requirements take away not only precious dollars, but they take up valuable teacher time.

I don't think there is much question about what we want. I don't think this is a partisan issue. All of us in the end want students to be able to achieve. The educational system is not for the bureaucracy. It is not for Washington. It is not for the State capitals. It is not for making people fill out forms to comply with Federal rules. Clearly, we can't afford for this trend to continue. We need to change our Federal policies to ensure a more efficient use of our Federal resources.

I would be pleased to yield to the manager on my side for a comment or unanimous consent request.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the votes occur on or in relation to the amendments in the order in which they were offered beginning at 6 p.m., with the time between now and then to be equally divided in the usual form. I further ask unanimous consent that no second-degree amendments be in order prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. JEFFORDS. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, a recent example of an inflexible mandate is the \$1.2 billion earmarked exclusively for classroom size reduction for early elementary grades. That is a noble aspiration—lower classroom size. You can pursue a noble aspiration into a dead end or make a noble aspiration a financial misallocation.

Last year, Governor Davis of California described how the inflexibility of this initiative is hindering his State's ability to direct Federal funds to areas where the need is the greatest. While the Federal initiative requires funds to be used to reduce class size to 18 in the first three grades, in California they have already reduced class size to near that target in grades K through 4.

Governor Davis put it this way. He said of those Federal funds which are earmarked for an area where he has pretty much achieved the desired goal, that the goal to best serve the State's needs is to reduce class size in math and English in the 10th grade.

Of course, it is kind of hard to see that from Washington DC. But the Governor has a pretty good shot at understanding that if he has the class size problem under control in grades K through 4, and he really has a desperate need to reduce class size in the different area, he should be able to allocate those funds in that direction.

He put it this way: We need to have the flexibility to apply those resources where we think they could best be used.

A lot has been made about the potential for politics at the State level.

The eloquent speaker, the Senator from Connecticut, talked about how that might contaminate decision-making. Frankly, I think that the ability to hit the target from close up is usually far better than the ability to hit the target from long range.

When we talk about helping our children learn and helping them achieve elevated capacities in terms of the fundamentals necessary, States and local schools need the flexibility to spend money in the way they see fit to improve education.

Knowing the kinds of misallocations that have come, up to 35 percent of the resource being lost in the bureaucratic nightmare of regulations, the tens of thousands of full-time equivalents designed to supervise to make sure you spend the money in the way the Federal Government says it should be spent, in spite of the fact that might totally miss the needs of the student, we need to change things. We can't keep going in the same direction.

They used to joke when I was a kid when someone asked for directions. Someone else would say: Any road will get you there so long as you don't care where you are going. My grandfather used to say: I have sawed this board off four times, and it is still too short. If you are not succeeding, think about changing. The industrialist put it this way: Your system is perfectly designed to give you what you are getting. If you don't like what you are getting, think about changing it.

What are we getting? We are getting a poor return on our investment. It is wrong for America to have an output from its educational effort that is at the bottom of the industrialized nations. We can't keep sawing this board off. It is too short. We can't just take any road to get us there because we know we have a destination that is important. We can't afford to be taking the wrong road.

It is important to put people who are there on the spot, to see what the needs are. I say it this way: I want someone who knows the names of the students and the needs of the schools making the decisions. That is what is important. I want people who will live or die by the decisions, not someone from 1,000 miles away.

I believe there is a lot of common ground here. People talk about getting money to the local level. It doesn't do any good to get it there and then tie the hands of the people at the local level, or send the money to the school district so they can only spend it for things that are not priorities. That doesn't make much sense. Send the money to the school district and allow the school district to devote the resource to those things which are important to the achievement of students.

Mr. KERRY. Will the Senator yield?

Mr. ASHCROFT. Yes.

Mr. KERRY. Can the Senator tell me precisely what priorities resources are required to be spent on?

Title I is the biggest expenditure of Federal money; it is for poor, disadvantaged children. Is that a priority?

Mr. ASHCROFT. Yes.

May I answer the question?

Mr. KERRY. I asked the question.

Mr. ASHCROFT. First you said, could I respond by saying what priorities people are being required to spend resources on, or what things are not a priority.

Governor Davis of California said: You are requiring me to spend money on reduced class size in grades K

through 4 when the priority is for reducing class size in grade 10 and English.

I quoted the Governor a few moments ago to that effect.

I believe it is very important that we be able to devote resources in ways to improve the ultimate performance.

We know class size is a priority in some settings. And other kinds of priorities exist for other settings. But I think we should allow individuals who know what the students need for our ultimate priority, which is student achievement. I think they should be able to look at that ultimate priority and see how we are going to elevate the performance of students.

Mr. KERRY. If the Senator will yield, is the Senator aware—and maybe the Governor is not; I think he is—that it is an option, but, secondly, that the Senator joined with all of us in voting for Ed-Flex under which any Governor basically can do whatever they want?

Is the Senator aware of that? That is what we passed last year, complete flexibility to Governors. We are not required to spend that. If they want to seek a waiver, they can get a waiver.

Mr. ASHCROFT. I ask the Senator to restate his question.

Mr. KERRY. Is the Senator aware under Ed-Flex the Governors have full flexibility for a waiver for any kind of onerous regulation? We voted for that last year precisely for this purpose. It is, in fact, voluntary as to whether or not they make the decision to which he referred.

Mr. ASHCROFT. I believe the correct interpretation of Ed-Flex is that there is substantial flexibility accorded to Governors for certain programs—not for all programs—and I believe it would be a misstatement to characterize it in the way it was characterized in the question. But there is additional flexibility, and I voted for Ed-Flex because it was a step in the right direction.

I don't purport to say the Governors should be the last word on this. From my perspective, we would be well served to push more of the decision-making authority down to the local level where the people who know the names of the students and the needs of the schools can make the determination.

I have visited three or four dozen school districts in my State in the last 3 or 4 months. I have been very intensive in my examination. It is very important we understand that tailoring the resource to meet the needs of students to elevate student performance is very important.

Sending money to feed the bureaucracy isn't important. The ultimate thing we need to determine is, are we doing those things that will elevate student performance? It may not even be the same thing in every case. There may be things needed in one area in one setting, in one cultural venue, that are different from in another. The presumption that Washington can know a

single solution is as foolish as the idea that there is a single product that would suit everyone.

Look at the march of industry in our country. We don't try to sell everybody the same computer. Look at the future. The future tells us if you call a fellow named Dell down in Texas, he doesn't tell you what computers he has to offer, he asks you what your needs are. They tailor that computer to meet your specific needs.

It is called mass customization, not mass production. Mass production is a thing of the past. Mass customization is a thing of the future. Let's allow our school districts to tailor the resources we provide to meet their needs and to elevate their students' capacity. Let's not try to impose on those students some sort of template from Washington that pushes them into a program or something that is not in their best interests and not according to their needs. The idea of Washington imposing and distorting education is an idea whose time has past.

In my State, there is a designation that is a result of a Federal program called IDEA. One in seven students in my State—and one in eight nationally—are designated as disabled. As a result of this designation, those students are not subject to discipline in the same way other students are. For example, if a disabled student brings a gun to school, the maximum time you can keep him out of the regular classroom is generally 45 days. Some of these disabilities, a good number of them, are behavioral disabilities, so they are students whose problem is in controlling themselves. Instead of having the 1-year suspension from class because they brought a weapon to school, they only have a 45-day suspension from class because they brought a weapon to school.

It is very difficult for local school administrators to have a situation where they can't discipline students effectively to maintain order and control. I believe we ought to adjust that. We ought to get decisions about resource allocation down to the local level, to moms and dads, community leaders, school board members, to decide how to spend the resources to best elevate student performance. I think that is what they want to do with the money. That is what they want school resources for.

I think we ought to also say to those people at the local and State level, you can make the kinds of decisions regarding discipline that are necessary in your culture and in your community and in your setting to secure the classroom and secure teachers. It is very important that be done, and be done in ways that will help students.

The Missouri School Boards Association has talked to me recently about these kinds of circumstances. They have given me some examples of what has happened in their school districts in the area of IDEA, discipline, and safety. Here is one, "Teacher Assault."

High school student with disabilities was placed in an alternative school after repeatedly assaulting her high school teachers. Recently aggravated, she approached the office. The secretary was talking with a person outside the office and did not see the student approach. The student hit the secretary in the side of the head, knocking her glasses off her face and causing personal injuries. This year the student has broken her teacher's glasses four times by hitting him in the face or pulling them from his face and breaking them. This behavior continues in spite of multiple years of interventions by mental health professionals, behavioral specialists and disability experts at school. The parents continue to meet on a regular basis with the school personnel. However, assaults are frequent and cause injury at home, at school and in the community. No agencies within the community or State will provide comprehensive treatment or services as she is considered too aggressive. She remains in public school.

Not subject to the kind of discipline there ought to be.

I can go through case after case of teacher assault. I can talk about students who have been shot by other students, students who were injured, whether it is with a knife or with a gun, and the absence of the capacity of our school administrators to deal with students who pose threats to the learning environment of our classrooms. It is a tragic absence of capacity. We ought to return that capacity to the local level. I believe it is possible for us to do so when we think carefully about our school; whether it be assaults on teachers, whether it be the possession of weapons, whether it be the importation of drugs into the schools.

So it is with this in mind that I think trusting local school officials is the way for us to respond. We need to adopt the kind of philosophy that moves decisionmaking as well as resources to the local level. Just moving resources to the local level with an administrative burden and a direction to spend the resources in ways that are not needed at the local level is nonsense. Move the resources to the local level and move the decisionmaking capacity to people who know the names of the students and the needs of those students and the needs of the institution. Let them make decisions.

Second, allow individuals who are running our schools at the State and local level to have the kind of rules and disciplinary procedures which provide a safe learning environment. If we do those things, we get to our ultimate accountability. The accountability is in student performance. Accountability is not in answering to Washington. Accountability is not answering to a bureaucracy. It is not filing tens of thousands of papers. Accountability is whether our students can read and write, add, subtract, multiply, and divide. It is whether our students are prepared for a technically demanding world, a workplace where, if they succeed with the right education, it will provide them with a chance to be world leaders; where, if we do not succeed and our educational skills languish, our

days are numbered as a leader of the world.

It is with that in mind I want to say how important it is for us to not only have the right ability to send resources but decisionmaking as well to the local level, and then to provide a basis for maintaining a safe school environment by simply saying that school districts have the ability to discipline all children who bring weapons to school or use illegal drugs at school or possess them at school or children who assault school district personnel.

I will close by just remarking that this is not something that is against the best interests of schools or of teachers or of groups of individuals. The Education Roundtable of Missouri, which is comprised of all the major education associations in Missouri, including the PTA, including the MNEA, including the AFT, including the Missouri State Teachers Association and the Missouri School Boards Association—all of those endorse this idea that we need to have the capacity to discipline appropriately all students who bring weapons to schools, who assault teachers, who threaten and assault teachers and provide drugs in the school. They should be subject to appropriate discipline measures.

I ask unanimous consent to have this letter from the Missouri Education Roundtable be printed in the RECORD and I thank the Chair for this opportunity to express myself on this important issue.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE MISSOURI EDUCATION ROUNDTABLE,
Columbia, MO, May 1, 2000.

Hon. JOHN ASHCROFT,
U.S. Senate, Washington, DC.

DEAR SENATOR ASHCROFT: The Education Roundtable, comprised of all the major education associations in Missouri, strongly supports your proposed amendments to the Individuals with Disabilities Education Act regarding discipline of students. It is absolutely essential that school district officials have the ability to discipline any child that brings a weapon to school, possesses or uses illegal drugs at school, or assaults school district personnel. This conduct must not be tolerated in our public schools.

School safety is a top priority for teachers, administrators, and school board members in Missouri. Our children must be guaranteed a safe environment if effective learning is to take place. We are committed to providing such an environment but currently our hands are tied in certain circumstances due to restrictive federal law. We commend you for offering this important amendment and we urge your colleagues in the Senate to approve it.

Sincerely,

CARTER D. WARD,
Executive Director,
Missouri School Boards Association.

Mrs. MURRAY. Mr. President, I yield 10 minutes to the Senator from Massachusetts.

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

The Senator from Massachusetts.

Mr. KERRY. Mr. President, I say to my friend from Missouri, who I have

listened to carefully—and I regret with only 10 minutes, I do not have time to yield and enter into a dialog, which I would enjoy doing—first of all, I agree with what he just said about the capacity of people to discipline. In fact, I have proposed what we call Second Chance Schools. In the legislation that Senator GORDON SMITH and I proposed, there is a component of it that would help provide the capacity for that kind of discipline. But once again, because this is not a bipartisan process or one that has been open to anything except the point of view of the Straight A's plan, we do not have the ability to debate that or other things.

I will also say to my friend from Missouri, one has to ask a question. He is talking about getting the capacity to the local people to be able to make the choices. If the local people were so thrilled with the proposal by the other side, why are they not supporting it? The only entity that I know of that is supporting the legislation proposed by the Republicans is the Heritage Foundation.

Mr. ASHCROFT. Will the Senator yield?

Mr. KERRY. I do not have time. Unfortunately, I am limited to 10 minutes now because of the time.

Mr. ASHCROFT. When the Senator asks a question of me, I would like to be able to respond.

Mr. KERRY. Mr. President, I am actually informing him at this point in time, not asking him a question. I am going to ask a rhetorical question because, again, I do not have the time. But the fact is, the local entities that make the decisions, the State school officers, the secondary and elementary school principals, the teachers, the education associations—all of those folks are the ones who are supportive of the Democratic alternative.

Second, I heard the Senator from Missouri say why is it that—I guess it was more than 50 percent of the people who work in schools are outside of the classroom?

That is because we do not have enough teachers for the numbers of kids in the classroom. When you have one teacher teaching 35 kids, you begin to change the proportion of who is working in the school system. I am confident my friend from Missouri does not intend to have a school system that does not have custodians, does not have janitors, does not have schoolbus drivers, does not have people working in the cafeterias. These are the people “outside of the classroom.”

What we really need to face is the reason the proportion is out of whack, which is that we will need 2 million new teachers in America in the next 10 years. We will need a million of those teachers in the next 5 years. At the current pay level, without the capacity of the Federal Government to assist in reducing class size, it is going to be exceedingly difficult for the very districts in which the Federal Government got involved in education in the

first place, which are poor districts, to ever be able to catch up.

I will ask another rhetorical question. If we are supposed to be giving control to the people who effectively have had control for all of these years, why is the school system in America doing so badly? We do not run it at the Federal level. We have never run it, nor are we asking to run it. We are trying to provide an incentive for communities, which have never bought into real reform, to buy into reform. If you look at the 1994 ESEA that we passed in a bipartisan fashion, you will see, as a result of that legislation, standards now being put in place across the country, whole school reforms being put into effect, a whole series of measures with respect to testing and improvements that are beginning to take hold.

Have they reached the level that everybody would like? The answer is no. But we would never have had to try to make that kind of broad-based effort at reform if, indeed, everything was working so well because the local decision-makers were making the decisions that needed to be made.

Equally important, the Senator from Missouri was talking about raising the standards of schools.

I know in St. Louis or Kansas City, MO, there are poor schools. I know in Atlanta there are schools that depend on title I money to adequately provide a cushion for what their lack of a tax base provides. Poor communities do not have a big tax base. Since schools are funded by the property tax, they do not have the ability to put the money into the school system. That is precisely why the Federal Government became involved in 1965 in title I in the first place. The reason was to address the problems of communities that were disadvantaged.

Along comes this Republican bill with a provision called portability. I know the sponsors have spent a lot of time saying this is not a voucher, and the reason this is not a voucher is there is not a piece of paper that goes to the parent which they take to another school. The school district manages the money. But it is effectively a credit voucher. It is effectively an indirect voucher where a parent gets \$400 to \$600 of value for their child if they want to take them somewhere else for a different kind of schooling.

It sounds good and appealing, but it directly undermines the very concept that brought the Federal Government in the first place to help education, which is, if a school has a group of disadvantaged kids, by providing assistance based on the number of kids, on the conglomerate need of that community, we can help lift the school so the school can become a great school and teach those kids.

If we provide a per-disadvantaged-pupil stipend, what we will do is, in fact, reward kids who may be poor themselves but who go to a good school, a school that is not disadvantaged, that has an adequate tax base

and does not at all need to have additional funding from the Federal Government. We will simultaneously have stripped away from a school that is struggling to be good the very heart of the money they need to make the difference and improve.

If we really wanted to help make a difference today, we would fully fund title I. That is the way we make a difference in what is happening to the schools that are not making it. We would do so in a way that set an order of priorities with respect to the key things we wanted to do.

I heard from the Senator from Missouri the mirror reflection of what we keep hearing from the other side. They keep saying: We do not want the Federal Government dictating how to approach this. The fact is, the Federal Government does not dictate that. It offers a specific menu. The schools can apply for the menu of money or not apply, as the case may be. If they think they need money for smaller class size, they can apply for that money, but nothing in the Federal budget orders a school to do that—nothing.

It is a concept completely out of any reality whatsoever for people to suggest there is somehow this long arm that is telling them precisely what to do. It is only suggesting the guidelines and constraints of what they have to do if they choose to do what has been established as a priority.

Surely we can all agree that after-school programs are a priority. Getting guns out of schools is a priority. Drug-free schools is a priority. Having adequate class size is a priority. Having better teachers is a priority. I do not understand why the Senate is incapable of agreeing on a set of top priorities that every school district in this country can name and then say we are going to find a way to hold them accountable, not after 5 years but next year, to see precisely how there is funding money with respect to that priority.

We are not going to tell them how to spend the money. We are not going to order them to spend the money. They can choose to do it or not do it, but we are going to at least guarantee that the country is going to spend its Federal dollars on those things that represent priorities of education.

This is hard for me to understand. The bill proposed by the Republicans has no accountability for 5 years at all, and for all this talk of telling us that we want the local people to make the decision, it plunks the entire pot of money in the hands of the Governors. That is not local decisionmaking; that is just playing to the politics of the State, and the people most powerful and with the greatest lobbying capacity will go back to the old order and the Federal priorities will be by the wayside.

We are somehow not connecting. It is the first time in all the years of this bill that there has been such a partisan bill and such a disconnect in an effort to meet the needs of our Nation.

I close by saying there was a terrific ex-general who was the superintendent of schools for 3 or 4 years in Seattle, from where the Senator from Washington came. He did an extraordinary job and was beloved by all. He said: There are no libertarians, no Republicans, no Democrats, no conservatives or liberals among the kids in our schools. We ought to get the ideology out of this process and put the kids first. If we do that, I am confident we can have a solution.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. I yield the Senator from Wyoming as much time as he may consume within our limits.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, today I rise in strong support of the original committee bill, the Educational Opportunities Act of 2000, which will reauthorize for another 5 years the Elementary and Secondary Education Act of 1965. We now call it ESEA.

I especially applaud my fellow members of the Health, Education, Labor, and Pensions Committee, particularly Senator JEFFORDS, and also Senator GREGG, Senator FRIST, Senator HUTCHINSON, and Senator COLLINS for their unusual dedication and the hours they spent working on this bill and working with every single member of the committee.

I congratulate the committee for constructing a bill that contains a new recipe of support for our children as they embark on their educational journey. I am very interested in this educational journey. My oldest daughter is a teacher in Gillette, WY, an outstanding teacher of English for seventh and ninth graders. She goes the extra mile every day to make a difference in these kids' lives. I want to do everything I can to help.

We are an education family. My wife has been involved in education. She just received her master's degree in adult education from the University of Wyoming by Internet while she was here in Washington with me. That is a major challenge, using some of the new technology in education in Wyoming today. It is what we can do to help kids, wherever they might be, to get a good education. That is the goal, and we do understand that goal, and we do work toward that goal.

Unfortunately, the pending amendment offered by the minority leader on behalf of his Democratic colleagues does not seek to address the real academic needs of our children. The amendment is virtually a mirror image of the status quo.

Earlier today, somebody said if the Republicans could not use the words "status quo," we could not debate. In this instance, that would be true. The proposal does not reflect an investment in understanding where the Federal role in education has failed our children; therefore, the proposal lacks the payoff our children and parents are de-

manding, and that is a better education.

In fact, one of the only and certainly the most notable change included in the Democratic proposal eliminates funding for many small and rural schools under title IV, the safe and drug-free school section of ESEA—simply writing off communities that under current law receive grants that I have to admit are too small to fund any meaningful initiatives. It is not a productive solution. Our bill fixes that problem, instead of dismissing it, with a new rural flexibility initiative.

The other side of the aisle talks about their desire to get the money to the poor kids. On behalf of the Governors of this country, I have to object to some of the accusations made against them today. Education innovation has come from the Governors of this country. Their States have been the laboratories for this country.

We have used some of the things they have suggested, and they have worked. They are light years ahead of the Federal ESEA. They are the ones on which we rely. And we are saying, do not trust those Governors with any money?

In my State, we have State equalization that takes a whole bunch of these problems that have been laid out here and forces the rich districts to provide for the poor districts so every kid has an equal chance. We provide for that to be taken to court regularly to make sure it still meets all the guidelines of an equal education.

I have to tell you, "equal" refers to buildings, too. So when I hear some of these things about needing school construction, that is something that is being forced to happen in Wyoming so all kids have a good place to go to school. That was a Republican initiative by a Governor.

State accountability. Our State believes in measuring the achievement of the kids, knowing how the kids are doing. It isn't important for the district to know how the kids are doing; it is important for the parents to know how the kids are doing, so the parents can be more involved in the education of their kids. They even have report cards they send home that evaluate the whole school to see how the school is doing.

This substitute that has been laid down again is an unfortunate example of resistance to acknowledging and accommodating the differing needs among communities and schools.

Wyoming cannot be the only State that has a unique way of doing things, which is why I am so pleased that the underlying bill does reflect a fresh look at the Federal role in education. This is a priority issue for voters because they are concerned with our historic lack of concern for their specific needs. With this bill before us, we finally have the opportunity to honestly say we have listened and have moved away from the stalemate of entrenched Washington to the solutions of the future.

While the Federal Government does not hold all the answers, and certainly does not hold the purse strings for the bulk of education spending, there is a clear role for leadership and technical assistance as schools lead the way toward academic improvement for all children.

Right now, the Federal Government provides 7 percent of the money—just 7 percent of the money—in education and requires over 50 percent of the paperwork. Yes, to check on those funds that we give away, we inundate principals and teachers with tons of unproductive proof. Our bill requires less paperwork and makes it count. More could and should be done to reduce paperwork.

On this reauthorization we are talking about, everybody seems to agree we have a failed system out there, or at least one that definitely needs improvement. I hear that from the other side of the aisle. I have to say, the other side of the aisle was in the majority the last five times this bill was authorized. They settled for less than 7 percent of the funds and 50 percent of the paperwork. We tried it their way. Everyone has said we need change. The committee bill is change. Let's try it our way once.

Our bill essentially provides three options of Federal support for State and local education initiatives, as decided by local communities. The variation between States' economies, geography, student-body composition, and position on the "academic achievement" spectrum warrants an improvement in how the Federal Government can be most helpful to each State's unique needs.

For example, States that have a self-sufficient internal infrastructure through which they are able to provide local schools with high-quality technical assistance are not dependent on the Federal Department of Education for that kind of support. Those States have been wrestling with the regimented requirements the Federal programs currently demand, despite their ability to not only do it themselves, but for the States to do it better.

As a good-faith act of Federal leadership on education improvement, we need to accommodate and support the progress of States that has outgrown the 35-year-old model of ESEA. This is new and, therefore, untested ground. But isn't that what learning is? It is time for all of us to get educated and to make room for improvements and innovations in our kids' education.

So the first piece of the underlying bill is a demonstration program for up to 15 States to break from the title-by-title categorical programs under ESEA and develop new proposals for executing excellence in education.

While the 1994 reauthorization of ESEA tacked sharply in the direction of measuring what kids learn through the end of the day through standards and assessments rather than solely concentrating on how they are learning, this demonstration program,

called Straight A's, tests that model by allowing States to implement an education plan completely outside the current input requirements of ESEA. Again, though, the sharp distinction is that those States will be held accountable for high standards of student achievement in exchange for such freedom with Federal tax dollars.

The second option under the bill was developed in partnership with the National Governors' Association. In another new proposal for improving education, States will now be able to enter into education performance partnerships with the Federal Government. This program will require States to develop a plan similar to the Straight A's education and achievement plan to significantly increase student performance over a period of 5 years. The difference between this option and Straight A's, however, is that States will be required to maintain the targeting of title I to specifically serve the low-income and disadvantaged children those dollars were historically intended to help.

While I support the innovation, flexibility, and commitment to meaningful accountability those two new options represent, my home State of Wyoming is actually best served by the third piece of the bill. Under the third option, States can choose to remain under the existing categorical and title structure of the current law.

Make no mistake, there have been modernizations to the current law which are intended to make categorical programs do a better job of serving the unique needs of States. That is an improvement in the committee bill. I am sorry more was not done in further reducing the administrative burden associated with the Federal education funds, but I believe we did make substantial progress in leveling the playing field for small States and rural communities; their education needs are just as important as urban needs.

Most notably, the supercategorical program known as the Class Size Reduction Program—or 100,000 new teachers—was evaluating and appropriately authorized by the committee.

I need not remind everyone that the program, while funded over the last 2 years, was essentially an appropriations rider and had never been considered before the HELP Committee. Now the committee has assigned this program to its rightful place in ESEA. It is part of title VI, the innovative education title. This is the funding source States can use to accommodate existing needs for which there are no other or insufficient resources as well as to innovate outside the box of the other categorical titles under ESEA. If it is more professional development, more reading excellence initiatives, or a new teacher that a school needs, this is where they can fund it. If you cannot pay teachers enough to retain them, what good is another slot? We have a teacher shortage in this country. We have a shortage among many profes-

sionals, but the shortage that will affect our future the most is that of teachers.

For a small State such as Wyoming, which in the first year of the Class Size Reduction Program required a waiver because we could not even meet the consortia title—we had already met the requirements for class size reduction. We had provided another amendment that would allow you to group some of that under a waiver. We could not even meet that requirement for eligibility, so the committee version of ESEA makes good sense.

Also, a notable modernization of the current law approach is the new Rural Flex Initiative. To quote from the committee report:

The purpose of this part is to provide adequate funding to rural school districts to enhance their ability to recruit and retain teachers, strengthen the quality of instruction, and improve student achievement.

The provision would allow rural school districts with enrollments of fewer than 600 kids to pull funds from titles II, IV, and VI to spend on local improvement initiatives that—and this is important—would enable the small schools to offer their kids programs and activities of sufficient size, scope, and quality to have a significant impact upon student and overall school performance.

In Wyoming, there is such a thing as qualifying for a \$200 grant, based on current formulas, to run a drug prevention program. Well, \$200 is not meaningful and it is not fair. So I applaud my fellow rural Senator from Maine, SUSAN COLLINS, for initiating this provision on behalf of all the kids in rural schools.

I have to spend just a moment explaining why, despite how good Straight A's and performance partnerships might be for some States, they are not quite the right fit for Wyoming. It is actually quite simple. Wyoming is small in population. We are the smallest population State in the Union, with the second largest relative land mass per person. My county is the same size as the State of Connecticut. That is just my county in Wyoming. The last census in that county, which is 110 miles by 60 miles, recorded a total of 33,000 people—two towns. The biggest one, which we call a city, had 22,000 people. The rest were spread over that huge geographical area.

Resources are scarce, and therefore we focus on the basics of education. Simply, there isn't the money, the infrastructure, or, necessarily, the inclination to get fancy. We even have single-child schools. We have driving compensation for parents willing to drive their kids to school because they are the only child on a bus route 60 miles one way. We have school districts with so few kids that the district superintendent teaches classes.

We are pioneers in compressed video classes to provide some variety in class offerings—but no teacher is in the room with the student. That is part of

the State's charm and its integrity, but it also means that Wyoming utilizes and, in fact, relies upon technical assistance provided by the Federal Department of Education. That is still in here. We don't want the same kind of education that Massachusetts provides. We know our kids can be as well educated but not the same way as the kids in California. I can assure you we don't want somebody in Washington, DC, deciding how we will do things. When you take away the titles under current law, you also take away the technical assistance that goes with them. To be clear, Wyoming hates the paperwork and the bureaucracy as much as I do. But while we are making progress on getting that in check, we cannot throw out the baby with the bath water. Whether it be manuals, guidelines, protocols, research-based models on teaching methods, or the human resources that are the good side of Federal assistance in educating our kids, Wyoming is using it.

About 5 years ago, Wyoming gathered its stakeholders in education, from parents and teachers to administrators and legislators, and they developed a plan to bring our kids to the top of the charts. A new system for reporting to parents on statewide, school-by-school progress is up and running. While it is a rocky road, new, challenging, State content standards are near completion with assessment mechanisms soon to follow. It takes a while to develop those, particularly in a small State. You can't say: Wyoming, have it next month or next year, without providing unusually large dollars to do it. It has been no small task to get where we are and it has been, in part, predicated on Federal resources available through the current structure of ESEA. I am not willing to pull the rug out from under my constituents when the light is right there at the end of the tunnel.

That is why I am enthusiastic about the options this bill contains. It is a different way for everybody to do different things and make sure their kids are educated. While I don't want to set back Wyoming's efforts by ignoring current law—with improvements—as a viable option for States, I also don't want to impose on States that can do it better another way the structured method of current law.

Earlier, there were some comments about Ed-Flex. I have to take on a couple of those. I have heard a number of my colleagues contend that since only a few States have applied for Ed-Flex so far, additional flexibility is not needed or wanted.

Fifty Governors signed a letter asking for Ed-Flex. Now, with regard to Ed-Flex guidance, it wasn't even issued by the Department of Education and sent to the States until November of 1999. The bill, as passed, was only 17 pages when the President signed it into law on April 29, 1999.

According to State education agencies, the Federal Government has complete control over the application process and the State must tailor its application to the Department's guidelines and expectations. Even the Department of Education wrote in a May 1999 memo:

States are strongly encouraged to refer to the guidance before submitting their Ed-Flex applications to the Department.

In addition to the guidance issue, officials at the Department of Education have informed the Nation's Governors that contrary to both their own guidance and the Ed-Flex law, written along with Senator RON WYDEN of Oregon, they will only approve applications for States that are in compliance with title I requirements. The law, and the Department's guidance, allow a State to participate if it has made substantial progress toward meeting the requirements under title I—substantial progress.

Despite these rather significant hurdles, a number of States, including Tennessee, Pennsylvania, Delaware, and others, have been working on their applications for months. Tennessee submitted its application in early April. North Carolina has also submitted its application.

When Congress passed Ed-Flex, we did not expect every State to take advantage of the new law, but we did think it was important that every State be afforded the opportunity to utilize the flexibility available under the law to support innovation and cut through Federal redtape.

The Senate is currently considering several other proposals for increased flexibility that will be available to States, at their option. Because every State will not choose to participate, however, does not mean the policy is unnecessary or a failure. Some States will choose to utilize the new authorities and some will not, but all States should have the opportunity. The Federal Government should not stand in the way of States that want to innovate and reform to meet the specific needs of their own children.

I remind you again that the States have been the laboratories for innovation, not the Federal Government. The bottom line here is accommodating success in every State for every child. I think that is a tall order, but I think we have filled it with the committee bill. The opponents of choice and innovation do not have a healthy understanding of our role. I suggest that everyone look out across the country, and then look in their backyard and, only then, come here and argue that there is no variation needed for our children. I won't assume to argue against the needs of any other community. I simply ask the same of my colleagues. I yield the floor.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Washington.

Mrs. MURRAY. I yield 8 minutes to the Senator from Rhode Island.

Mr. REED. Mr. President, I come, first, to say how I am strongly in support of the Democratic alternative. It does represent what is the appropriate response by the Federal Government to educational policy in the United States; that is, to find specific ways in which we can help local schools and State systems improve education, with a particular concentration on low-income students. That has been the emphasis in Federal education policy since 1965. It is an emphasis that is being severely diluted by the Republican proposal.

In this substitute, there are provisions for strong parental involvement. In contrast, the Republican bill says very little about parental involvement and again leaves it to the States. It provides funds for specific programs that used to be part and parcel of Federal education policy, such as funds for libraries. But because of the inclusion of block grants, we have seen those funds withered away. As a result, our library selections in schools are abysmal and anachronistic. It also provides real accountability for results.

This is another issue that I think distinguishes our proposal from the Republican proposal. There is talk about accountability in the Republican proposal but no real accountability. It states that the Governors get to select the standards they want to use to measure their progress. It is only after 3 or 4 or 5 years that there is any real examination of what is going on.

At the end of that time, the idea that a Secretary of Education—any Secretary of Education—would take away all the funds or a significant number of funds from a State is, to me, somewhat attenuated. But, in addition, because the criteria for such Secretarial action is so vague and amorphous, there would be very little legal justification to do something such as that.

In effect, the accountability provisions are really not accountability provisions. In the last reauthorization in 1994, and in Goals 2000 of that same year, I fought for very tough accountability standards—accountability not only for the student performance but also for the resources going into schools. We fought back and forth, and the opposition, particularly of the Republicans, was vehement. We managed through compromise to come up with provisions that were included in the legislation. But in 1995, with the advent of the Republican Congress, those tough accountability provisions were quickly stricken from the legislative record. As a result, this accountability issue suggests, with respect to the Republican proposals, that it is more superficial than substantive.

We, alternatively, also have provisions to help professional development because we recognize that this is not only a local problem; this is a national problem, and we want to help States and localities. They are the key guardians of access to the classrooms and teachers. We want to help them improve professional development.

We have language with respect to safe schools and afterschool programs that are targeted to specific programs that are going to aid the overall mission of States and localities.

The proposals that are emanating from the Republican side move away from the core principle of involving the Federal Government in the first place in elementary and secondary education, and to help disadvantaged children who were systematically and consciously neglected by States and localities. That was the record up to 1965. They moved away from that. Now the approach is that we want to give the States the money to do that without respect, really, to an emphasis on education, and we want to give the States this money because the school systems of America are failing.

Frankly, if the school systems of America are failing, if that is the premise of the legislation, you have to ask yourself who is in charge of this failing school system? Frankly, it is the Governors, the mayors, and the schools throughout this country. The Federal Government contributes about 7 percent of resources; 93 percent of the resources are provided by States and localities.

One of the most decisive factors of educational policy in the United States has nothing to do with Washington. It is reliance on the property taxes, exclusively a local idea. It is exclusively a local initiative. Teachers who go into the classroom are not certified by any Federal agency. They are certified by States and localities. School construction is controlled by States and localities. These are decisive factors that influence policy in the country. If you presume that we are here today changing our system because education is failing, why in God's name are you simply going to give the money without conditions to the people who are presiding over this?

I don't think we are speaking about educational failure. We are speaking about some limited progress over the last several years as a result of some Federal initiatives. But, frankly, because of lots of local initiatives, because there is a partnership now between States, localities, and the Federal Government with respect to many programs of innovation, starting with Goals 2000 and embedded in the 1994 reauthorization of the Elementary and Secondary Education Act—in fact, searching for a metaphor to try to capture what I think the other side is suggesting, it seems to me, if you were a police officer proceeding on a highway and you saw an automobile careening out of control, recklessly driven, violating the rules, failing to abide by the standards we expect for driving, and you pulled that car over, went up, looked in, and saw a driver and someone in the backseat, then you turned to the backseat driver, and said, you caused all of this, that is essentially what the Federal Government has been doing in some respects.

Yes, we are part of this voyage, if you will, of educational policy. But with 7 percent of the effort, with a limited role, we are, at best, backseat drivers. No one would suggest that the reason the car is failing to operate properly is because of who is in the backseat. It is who is doing the driving; that is, the States and localities.

Our approach is to recognize that they are, in fact, in control; that we can collaborate with them; that we can, in fact, provide resources in areas where they either don't do it or do it insufficiently.

That is the heart of what we are talking about today—to build on the very real progress we have made over the last several years but recognizing that this progress is insufficient.

I urge that we get back to the business of proper Federal educational policy, supporting innovation where it works, overcoming inertia where it hobbles education reform, specifically targeted ways in which we can help localities improve the quality of education for all of our systems with a particular emphasis on disadvantaged American students who need more than what they get without the Federal support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, the one thing that is certain is that every Member of this Chamber is committed to improving public education in America. In America, we differ on how to accomplish that goal.

Over the years, we have enacted Federal program after Federal program. There are dozens of Federal programs on the books, all in the hope of narrowing the gap in achievement between low-income students and high-income students. All of us want to narrow that achievement gap.

Each and every person here is committed to providing an equal educational opportunity to every child in America. But we have to look at the record. We have to look at the facts. When we evaluate in what direction we should go, we have to look at from where we have come.

The fact is that after 35 years and \$120 billion spent on Federal education programs aimed at the disadvantaged, we have not achieved the goal of ensuring that children in high-poverty schools receive a good education. We know that children from poor families have just as many brains as children from wealthier families. We know that they have all the ability in the world. This is not about aptitude. It is not about the ability of these children. The debate is whether or not our current education system has served them well. The evidence suggests overwhelmingly that in too many cases our schools are failing these children.

Let's look at the statistics. Seventy percent of children in high-poverty schools scored below even the most basic level of reading. Seventy percent

have disadvantaged children that are unlikely to graduate from high school if they are in high-poverty schools in the inner cities. Children in high-poverty schools score two grade levels below their peers in high-income schools when it comes to math and three grade levels when it comes to reading.

Again, the problem is not a lack of ability. These children have all the ability in the world. The problem is that we are not meeting their needs.

We can continue down the path we followed during the past 35 years—a path paved with good intentions but not producing good results.

We can try a new approach. We can try to be innovative. We can get away from the "Washington knows best" approach, and empower local school boards, teachers, and parents to work together with State education officials to make a real difference in the lives of these children. That is what our Republican bill would do.

I point out again that no State is forced to accept the increased flexibility in designing programs using Federal funds. If a State is content with the status quo, if a State believes that its schools are delivering the best education possible, it can continue with the status quo. It can continue along the path of receiving Federal funds, attached with Federal strings, attached with paperwork, and tied up with red-tape. If that works fine with a State, then a State can continue with that system.

But a second alternative is for a State to enter into what is known as a performance partnership.

Under this approach, a State would have more flexibility in spending Federal dollars and can consolidate some Federal programs as long as the State can show improved student achievement.

Under the third and most innovative approach, 15 States would be allowed to participate in what is known as the Straight A's Program. Under Straight A's, a State would have great flexibility in combining Federal funds to meet whatever is the greatest need of that community.

The needs differ from community to community. One community may need to hire more math teachers. Another may need to concentrate on improving reading skills. Still a third may need to upgrade the science labs. The needs are not identical from community to community. Straight A's recognizes this and would allow a State to choose to consolidate Federal funds to meet the greatest need of that community. That is what this debate is about. It is about trying a new approach that could help ensure a brighter future for the disadvantaged children of America. That is our goal.

I yield the floor.

Mrs. MURRAY. How much time remains on both sides?

The PRESIDING OFFICER. The Senator from Washington has 32 minutes

and the Senator from Georgia has 6 minutes.

Mrs. MURRAY. Mr. President, I yield 10 minutes to the Senator from New York.

Mr. SCHUMER. Mr. President, I thank the Senator from Washington not only for yielding the time but for her leadership on this issue. I am so proud of the package that she and the Senator from Massachusetts have put together under the sponsorship of our minority leader, the Senator from South Dakota.

I think this debate is one of the most important debates we will have on the floor of the Senate. It is the issue of education about which we probably need to do the most. America is in very good shape overall, but the greatest trouble spot on the horizon is the fact our educational system is not up to snuff. You can't be the No. 1 economy with the No. 15 educational system in the world.

This debate presents two stark choices. The Republican bill, S. 2, basically revolves—and I use the word advisedly—around block grants, vouchers, and an alternative approach, which I am proud to have worked on with my colleagues on this side of the aisle. Again, I want to particularly salute my colleague from Massachusetts and my colleague from Washington for their leadership, as well as my colleagues from New Mexico, Iowa, and Connecticut, who worked on this so diligently.

The block grant approach is a two-way street of folly. From the congressional standpoint, it is an abdication of responsibility. We send blank checks to the State and wash our hands of the educational crisis. Waste always accompanies block grants. We learned this in area after area when we gave the money to local politicians who had not done a good job. It is also enthusiastically contradictory. My colleagues on the other side say our system isn't good enough. It has been in the control of local school boards.

What are we doing? We are giving more money to local school boards, no strings attached.

If you think our educational situation is in great shape and needs a little more money, you do a block grant. I, for one, don't think just giving a little bit more money to the status quo is going to improve our system. Block grants are an abdication of our responsibility to set national goals and figure out what programs work. When we separate the taxing authority from the spending authority, as in a block grant, unless you have some restrictions, it is a formula for waste because it is free money.

I am utterly amazed my conservative friends on that side of the aisle are for a fundamentally profligate concept—free money, no taxing authority, no strings attached, do what you want.

The issue is not the Federal Government dictating in a block grant because we are not dictating. If you don't

want the money, you don't have to take it. If you don't want to improve teacher quality, don't take the money. I agree with some on the other side that we have had too many mandates. But we are not mandating here. There is not a mandate at all.

To say the National Government, which has the responsibility of leading us into the 21st century, should not set any goals—and again, give money to the very local districts we are criticizing for not doing a good enough job—no strings attached, to me is utterly devoid of reason.

I ask my colleagues on the other side of the aisle and some on this side of the aisle to examine the principle of block grant. Don't let your anger at Federal control, which in some cases, in my judgment, is justified, mar your ability to see that a block grant makes no sense. It is an abdication of accountability.

My colleagues have talked very well about the 5 years of complete freedom to do what you want. The result is flawed because States only have to demonstrate statewide performance, effectively allowing States to ignore failing schools. We focus on a few schools that excel and bolster the State average.

Under this proposal, States could use Federal funds for any educational purpose under State law. As we discussed during yesterday's debate, what was then a title I State block grant of 1965, studies demonstrate educational purposes can be band uniforms, swimming pools, sewage disposal. I talked about that last night and won't go through those arguments again.

If my colleagues like block grants, they would be better off going by conservative principles and not having the block grant but reducing taxes by that amount. I, for one, don't like separating the taxing authority from the spending authority. That is as conservative a principle as we are going to get.

Fortunately, we don't have to go down the path of a block grant. The Democratic alternative targets scarce Federal dollars to the Nation's most important priorities: Teacher quality, high standards for our children, accountability for students in school performance, safe and modernized schools, smaller class size, technology, and parental involvement. Under our proposal, schools would be required to ensure that all students meet or exceed State proficiency standards within 10 years. We prevent States from masking an achievement gap by requiring schools to determine academic progress by using disaggregated student performance data.

Under our proposal, we build 6,000 new centers, giving 1.6 million school-age children access to before-school and after-school programs. Under our proposal—this is the part I will dwell on because the Senator from Massachusetts has enabled me to play a little bit of a role in this, along with the other proposals—we recognize the urgent and

vital need to have a qualified teacher in every classroom. We guarantee funds to communities to recruit qualified teachers. That is the greatest crisis, in my judgment, that education faces.

Last night, I mentioned on the floor more than half the teachers will retire in the next 15 years. For math and science, even in affluent districts, we have a great deal of trouble finding teachers now. If we could only accomplish one thing, if we could make only one change to our schools to raise quality, in my judgment, it would be to improve the quality of our teachers, make the teaching profession more attractive to young people and mid-career professionals alike.

In the past, we were able to attract teachers of high quality because we had set cohorts of people who went into teaching. Depression babies in the 1930s and 1940s wanted a secure, if not a well-paying job; women in the 1950s and 1960s who had no other opportunities, and in the late 1960s and early 1970s, my generation, had young men who went into teaching because they were given draft preference.

Today, however, to choose to teach is to choose to sacrifice, at least economically, as fulfilling a job as teaching is. Teacher salaries could not compare with other possible options facing college graduates. Over the past 4 years, salary offers for college graduates in all fields have grown at twice the rate of those for new teachers. Computer programming, \$44,000; accounting, \$37,000—these are starting salaries—market research, \$34,000; a paralegal, \$45,000; teaching, \$26,769.

For the millions of young men and women who would consider the idealistic profession of teaching young people—I have done it, not as a professional, but when I have been invited as an elected professional to teach eighth grade social studies in Cunningham Junior High school or 12th grade American History in Madison.

Just one other point on the teacher crisis. We face a teacher shortage of 750,000 teachers. One-third of the Nation's teachers are eligible to retire in the next 5 years. The largest number of teachers is about 49 years old through 55 years old. We desperately need new teachers.

I have been working on a program, which is included in this alternative, to address the shortage and quality concerns through a teacher scholarship program: Inviting New Scholars to Participate In Renewing Education, called INSPIRE, a brilliant work of an acronym by my staff.

Under this proposal, the federal government would pay 80 percent of the costs of awarding annual INSPIRE scholarships to highly qualified high school seniors, undergraduate students and college graduates/mid careers interested in committing to teach.

In exchange for having educational expenses (either college, graduate school or an alternative certification program) paid for, awardees would

commit to obtain teacher licensing and agree to teach in a "high need" area—those regions with high poverty and a high number of uncertified teachers.

My proposal would require new teachers to have an academic or work related concentration in the subject in which they intend to teach. When so much is riding on a teacher's ability and mastery, it is unacceptable that one-fourth of the math and science teachers in 1998 had not majored in the field they were teaching.

The deal would be one year for every \$5,000 in assistance received. The awards would not exceed \$20,000 and a portion of the scholarships would be reserved for shortage subject areas, such as math, science and special education. The total federal contribution would be \$500 million over five years.

Some states are already leading the way; Massachusetts runs a Tomorrow Teachers Scholarship Program, Mississippi supports a Critical Needs Scholarship Program. States are innovating in a time of great need. Federal dollars should be used to replicate this on a broader scale.

In addition, my amendment also provides local districts money to set up mentoring programs for new teachers. \$250 million over five years to ensure that the best local teachers will be trained to evaluate and guide new teachers during their first critical years in the classroom.

We want to attract qualified, motivated, committed new teachers and provide them the resources to stay teaching.

Currently, only 12 states pay veteran teachers to be mentors. We've just got to do better than that.

So, the choice seems to me to be simple. Do we provide federal dollars to do the hard work of ensuring quality, standards, accountability? Or do we just walk away? I think the answer is just as simple.

Mrs. MURRAY. Mr. President, how much time remains on the Democratic side?

The PRESIDING OFFICER. Twenty minutes.

Mrs. MURRAY. Mr. President, I yield 8 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, the issue before us really is whether or not we are going to change gears on education. The Republican bill changes gears in reverse. It puts us in reverse. The Democratic alternative offered by Senator DASCHLE puts us in a forward gear and moves us ahead into the 21st century.

I want to cover basically one issue that is encompassed in the Democratic alternative. If that alternative is not adopted—I assume by the party-line votes that are being held on education this year it probably will not be—I will be offering an amendment, hopefully tomorrow or the day thereafter, on an issue about which the American people are really concerned when it comes to

elementary and secondary education. That is the issue of our crumbling schools and what is going to be done about them. USA Today the other day pointed out that 89 percent of the American people ranked education as the most important issue. That is why this debate is so important and why the elementary and secondary education bill is so important.

When you talk to the American people about what their concerns are, they talk about things such as smaller class sizes, better qualified teachers, better paid teachers, better accountability—all the issues we talk about in our alternative. But the one that comes up every single time is the state of our schools, how bad they are and how they are crumbling down around us.

Two years ago, in 1998, the American Society of Civil Engineers—not a political body—issued a report card on the status of our physical infrastructure in this country: The roads, the bridges, mass transit, aviation, waste water, dams, solid waste, and schools. Schools was the only one to receive an F. It is the worst part of our physical infrastructure in America according to the American Society of Civil Engineers. Three out of four, 74 percent, of our schools were built before 1970. Here it is right here; 74 percent were built before 1970. Half our schools were built over 40 years ago.

You have to wonder. When the nicest things our kids see as they are growing up are shopping malls, movie theaters, and sports arenas, and the worst things they see are the public schools, you have to wonder what kind of message we are sending to them about the value we really place on their education.

We have had, in the Elementary and Secondary Education Act, since 1994, title XII. That was put in with bipartisan support, I might add, in 1994, to provide for grants to local school districts to repair, rebuild, and modernize their schools. I have been fighting on this issue for 7 years. Finally we had gotten the attention that this was a national problem—not just a local problem, a national problem. It is national because in some of the poorest school districts where they do not have the tax base to raise the local revenues, that is where you have the real problems. So it is a national issue, not just a local issue.

It is one where we can help local school districts without being involved in curriculum or taking over local control. This has nothing to do with that. I will tell you this: If you talk to local property taxpayers in any school district, talk about how burdened they are, and ask them if they want another increase in their property taxes to rebuild and modernize their crumbling schools, they will tell you they cannot do it. That is why it is a national problem and needs a national answer.

We had title XII and guess what. When we finally got the bill to our committee, title XII had been struck, just done away with. That is what we

were faced with—no more title XII, no more authorization to provide grants to schools, while at the same time President Clinton sends the budget down earlier this year and there is \$1.3 billion in the President's budget for grants to our local schools to rebuild and modernize.

The President requested \$1.3 billion, and the Republican bill we have before us strikes the authorization to allow us to do that.

So I will tell you, at about this time President Clinton is in Davenport, IA, to continue his push for legislation to modernize our crumbling schools. But the pending bill cuts that effort off at the knees by repealing title XII. The amendment we have before us, the Daschle amendment, reauthorizes and amends title XII. It authorizes \$1.3 billion to make grants and zero-interest loans to enable public schools to make urgent repairs, to fix the leaking roofs, repair the electrical wiring, or fix fire code violations.

What I am about to tell you has happened in the State of Iowa I am sure is true in almost every State in this Nation. The Iowa State Fire Marshal reported that fires in Iowa schools have increased fivefold over the past several years. Why is that? Because they are old schools. The wiring is old. They are catching on fire. It is true in every State in the country.

Here is something else. I say this to my friend from New York. Most people say this cannot be so, but it is so. Twenty-five percent of the schools in New York City are still heated by coal. One out of every four public schools in New York City is heated by coal. Talk about old fashioned. Talk about the need to modernize and upgrade.

In closing, we have a lot of needs for elementary and secondary education, but one need that must be met on a national basis is fixing, repairing, and modernizing our crumbling schools. The Daschle amendment does that. That is why it needs to be supported.

If the substitute amendment is not adopted, I will be back with an amendment to amend title XII to provide the \$1.3 billion President Clinton asked for in his budget. Our local school districts need this national help.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield 10 minutes to the Senator from Massachusetts. As I do so, I thank him for his tremendous leadership on our side on the issue of education and making sure all children, no matter where they are in this country, have the opportunity to learn. It is represented in this amendment which he has had such an incredible part in drafting. I thank him for that. I yield him 10 minutes.

Mr. KENNEDY. Mr. President, I thank my good friend, the Senator from Washington, for her comments. I yield myself 8 minutes. We are going to have two votes in about 20 minutes.

In closing this debate, I want to ensure my colleagues in the Senate fully

understand the amendment offered by the Senator from Washington, Mr. GORTON. I certainly understand it was written to ensure that the Straight A's provision cannot be used to divert funds for private school vouchers. The Office of General Counsel at the Department of Education has reviewed the language and informs me they are concerned that, because of the convoluted approach this language takes, it would be very difficult to sustain in court an interpretation that vouchers are prohibited by the amendment.

Quite frankly, a direct prohibition in this amendment could have resolved that concern. For that same reason, the author of the amendment chose not to do so. The underlying bill, through its child-centered program, also known as portability, clearly authorizes the use of funds for what are, in effect, private school vouchers.

The amendment offered by the Senator from Washington does not purport to change that program at all. Therefore, notwithstanding any interpretation of the amendment on which we are about to vote, we would continue, according to the general counsel's belief, to have a private school voucher program.

I believe it is probably marginally better in terms of reducing the possibilities of a voucher than exists in the bill. I urge my colleagues, even with this hesitation, to support the amendment.

For the last few minutes, I will go back to the comparison of the accountability provisions of S. 2 and the Daschle bill. I will mention seven different areas. I want the attention of those on the other side so they can address it, which they did not do over the course of this day.

Must States dedicate funds specifically for turning around failing schools?

Under S. 2, the answer is no. Under the Daschle proposal, the answer is yes. Under title I, they have to allocate 3 percent in the years 2001 and 2002 and 5 percent for every year after so there will be funds available in the States to turn around failing schools. Our answer is yes; their answer is no.

Must schools show annual gains in student performance?

The answer for S. 2 is no. In our legislation, the answer is yes. States have a period of time to reach proficiency in 10 years for all children, but they have to define how they are going to get there. We let them do it, but they must meet the benchmarks along the way. We define it and hold States accountable; they do not.

Is there any assurance of real accountability? Do failing schools face any real consequences?

As we have pointed out time and again, there is virtually no accountability for the first 5 years under S. 2. The answer to that is no. Under the Daschle bill, after 2 years, there has to be changes that the schools will take part in or otherwise, after the 4 years,

the whole governance of that school will be replaced. There are funds for that, and there is the commitment spelled out in our legislation to do it.

Is accountability based on the performance of all students, including poor children and limited-English-proficient children? The answer under S. 2 is no. The State can choose what children—this is the unbelievable part. I reviewed this in the RECORD yesterday. Under S. 2 requirements, they can select or choose which children they are going to put in the aggregation to report back to the Secretary of Education. It is a shell game.

Under the Daschle bill, there is a requirement for disaggregation not only in school districts but in schools on race and income, so we will know actually what school, not what school district, not just a general area, but we will know that every single year this legislation is in place.

Do schools and districts face consequences if they fail to help poor children, minority children, and limited-English-proficient children learn to high standards?

The answer under the Republican bill is no; under ours it is yes, for the reasons I have identified.

Is there a sensible requirement enabling students in failing schools to transfer to higher-quality schools?

The answer in the Republican bill is virtually no. They can use the whole amount of money for transportation. We challenge them. Show us where the limitation is. It is not there. We put the limitation cap at 10 percent.

Finally, must States help migrant children, delinquent or neglected children or homeless children reach high standards?

Under S. 2, no, they effectively abolish the homeless program, the immigrant program, and the migratory programs. We protect those.

If they are looking for accountability—and we have heard those words from the other side all day long today, “We want accountability”—they have to answer those questions. They have not answered them. They did not answer them in their opening statements when they presented this issue, and they refuse to respond to the challenges that Senator BINGAMAN and everyone on this side has posed to them.

Republicans want a blank check that is a stamp of approval on the status quo. It gives a blank check to the Governors and does not require anything to change. The Democrat's substitute cancels the blank check and instead provides parents a guarantee of better results for kids. It guarantees accountability for results, as I have spelled out—a qualified teacher in every classroom, as was pointed out earlier in the debate, smaller class size, as Senator MURRAY has pointed out, modern and safe schools, as Senator HARKIN and others have pointed out, and strong parental involvement, as Senator REED from Rhode Island has pointed out. All of this has been included in our alter-

native. That is a Marshall Plan for change, and I urge my colleagues to support it. I yield back the remainder of the time.

Mr. JEFFORDS. Mr. President, how much time does the majority have?

The PRESIDING OFFICER. The majority has 6 minutes, and the minority has 4 minutes.

Mr. JEFFORDS. Mr. President, I join my colleague from Massachusetts in urging everyone to vote for the Gorton amendment. However, I urge them to vote no on the Daschle amendment. The distinguished minority leader has offered objections to S. 2, and we agree that it is not perfect, but S. 2 does ensure that the Federal Government provides leadership and support in areas where there is a critical need for help.

These areas include title I, education for the disadvantaged; safe and drug-free schools; bilingual education; and education technology, to name a few.

S. 2 maintains and strengthens the title I reform process begun in 1994 with the enactment of the last ESEA reauthorization which required the establishment of high standards and the development and implementation of assessments designed to measure progress towards those standards.

The deadline for adopting standards was 1998, and the deadline for adopting assessments is in the school year 2001-2002.

A bipartisan group of educators, known as the Independent Review Panel, which was created under the 1994 law to review federally funded elementary and secondary education programs, said in their report, released last year, that standards driven reform should be given a chance to fully take hold while the Nation continues to assess progress in student performance.

S. 2 enhances the title I reform process by providing a separate funding stream within title I which will provide dollars to those schools that need improvement and also provides funding to States so that States may develop the assessments they need to have in place by next year.

Title II of the bill provides clear Federal leadership and support for investments in teacher quality. It builds upon our national commitment to professional development. Yet, it does so in a commonsense way that allows school districts to create the recipe that works for their schools and their communities to improve opportunities for teachers. It provides a list of activities that school districts can choose from in an effort to improve the quality of the teachers in the classroom. The bill encourages funds to be used for recruiting and hiring teachers, mentoring programs, programs and partnerships to keep good teachers in the profession, and professional development programs that will have a positive impact on teaching and learning in the classroom.

In addition, S. 2 includes a new program to develop and strengthen the leadership skills of teachers, principals, and superintendents.

This bill also improves the Safe and Drug Free Schools Program by increasing accountability. While requiring that Safe and Drug Free money be used for effective programs, S. 2 also gives States and local school districts enough flexibility to design programs that will prevent violence and drug use.

The bill provides Federal leadership and significant Federal funding for education technology. The current education technology programs have made a significant difference in fostering the effective integration of technology into the curriculum. The programs authorized under S. 2 build upon the strengths of the current law and enhance the educational opportunities in technology available to teachers and students across the country. S. 2 preserves an important role for the Federal Government in education technology. It includes a number of changes offered by Senators from the other side of the aisle which, in my view, improve and strengthen the education technology provisions in the underlying bill. The education technology program is a good one—it should not be abandoned by adopting the Senator Daschle amendment.

This bill also improves bilingual education. Recently, rural communities throughout this Nation have seen tremendous growth in the bilingual student population. S. 2 includes provisions that will enable these rural communities to receive funds from this program. At the same time, ensuring that the large urban centers continue to be eligible for Bilingual Program grants.

S. 2 includes a new flexibility initiative included in Title VI which is based on Senator COLLINS' Rural Education Initiative Act. The purpose of this program is to provide adequate funding to rural schools to enhance their ability to strengthen the quality of instruction and improve student achievement and student performance. Through flexibility provisions and a supplemental grant program, rural school districts will have the ability to maximize their resources for implementation of education reform strategies. The amendment offered by my colleagues on the other side does not have this authority and it is a provision that will provide a significant benefit to the rural communities of this Nation.

In conclusion, I urge my colleagues to reject the substitute and work together to make improvements to S. 2 in an effort to arrive at a bipartisan product that will make a positive difference in the lives of all of our Nation's students and educators.

I urge Senators to vote yes on the Gorton amendment and no on the Daschle substitute.

I yield the floor.

The PRESIDING OFFICER. The remaining time is under the control of the Senator from Washington.

Mrs. MURRAY. I thank the Chair.

Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not been ordered.

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

Mrs. MURRAY. Mr. President, I yield the remaining debate time to the Democratic leader, who has done an outstanding job in putting together an amendment that really reflects the values of the Democrats and ensures that all of our children, no matter who they are, get a quality education.

I thank the Democratic leader and yield him our time.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. I thank my colleague from Washington for her leadership on this issue, and particularly on the issue of class size, and all of the work that she has done to get us to this point.

Mr. President, I will use whatever additional time I need out of my leader allotment to finish my remarks.

Let me begin by complimenting the distinguished chairman and manager on the other side for the manner in which he has closed the debate.

There is no one who has worked on a more bipartisan basis on so many issues than has he. I respect him and appreciate the tone that he has set, once again, in calling for bipartisanship. I guess the irony is that we find ourselves, in spite of his desire for bipartisanship, at a point where we have very little of it.

I am as disappointed as he is that in committee, after more than a year's worth of work, the document the committee had been using, the work they had been constructing was shelved in favor of a very partisan approach to the Federal role in education for the next 6 years through ESEA.

I know, I am sure—I do not know—I am sure that he shares my disappointment that the kind of bipartisan tradition we have had in drafting this legislation over 35 years was not represented in the final vote during the markup of the ESEA in committee. So his call for bipartisanship, I know, on his part is genuine.

I am disappointed it was not reflected in the actions taken by the committee. I am disappointed that it does not reflect our current status on the Senate floor. As a result, I am really disappointed that we are relegated now to offering a Democratic substitute, when we could have worked on a bipartisan bill that would have allowed both parties to claim achievement and some success, and the confidence that we are doing the right thing in addressing education at the Federal level.

I thank all of my colleagues for the extraordinary effort they have made to bring us to this point within my caucus. I have mentioned Senator MURRAY. I thank, first and foremost, Senator KENNEDY, for all the work he has

done as our ranking member. I thank Senator DODD and all of the members of the HELP Committee. But I must say, all of our colleagues—Senator LIEBERMAN, and others—have joined with us in an effort to make this the very best proposal we could make.

I believe we have achieved that. I believe there is a lot more we can do. But given our circumstances, given where we are, I believe this represents the finest opportunity that we will be able to construct to ensure that for the next 6 years, during this ESEA authorization, we build upon the things that have worked, change the things that have not. We as we acknowledge the report card that still stands in the back of this Chamber—the report card by the American Society of Civil Engineers issued just a little more than a year ago—as we look at our infrastructure, in all of its different facets, as we determine what is working and what is not, we can say, with some authority and with some absolute certainty that too many of our schools are failing when it comes to the infrastructure.

We are getting poor results. We are not doing what we should in large measure because we have not made the commitment in infrastructure that we must make in education. So they gave schools an F. So we are faced with that reality, that we can do a better job.

We are faced really with two choices. One choice is to say: Let's take those tools. Let's assure that those things we know are working can be built upon, and that we can provide the kind of leadership and be the catalyst we know we can be in improving teacher quality, in improving accountability, in reducing class size, in ensuring there is more technology in all schools, and to make sure there is more parental involvement—taking all of those things that school boards and parents and teachers and school officials tell us we have to do a better job on. We can work to improve those specific areas with the knowledge it is going to take resources. We can do that. That is what the Democratic substitute does do.

On the other hand, we can do what we attempted to do back in 1981, in the name of flexibility, in the name of local control. Ironically, we created a blank-check approach that, I believe, has been an abysmal failure—a failure in terms of the kind of commitment to that approach, represented in real dollars, now cut by more than half since the legislation was passed, an approach that probably is far more bureaucratic, when you think about it. We go from the people administering the program at the Federal level through the people administering the program at the State level, to the people administering the program at the city or school district level, to the people administering the program in the schools themselves. That is the Republican approach. That is the blank check. If that isn't bureaucratic, I don't know what is.

What we say is, if you really want local control, if you want to ensure

that the maximum number of dollars get right into the school, bypass all of that and you will directly affect the school and provide the resources. That is what we say you should do. That is what our substitute does. That is real local control. That is providing the resources in the place where it can do the most good, without all of the bureaucratic hurdles, without all of the money going from here to the State capital, to the county, to the city, to the school district, to the school. We should not have to do that.

So I find a real irony in this local control argument used by some on the other side. I will say that I am hopeful, in spite of the history over the last several days—a somewhat partisan approach to this debate—we can actually reach some sort of a bipartisan consensus before the end of the debate. I am hopeful, as the chairman has indicated, that there is yet some opportunity for us to reach across the aisle. This is our best hope in doing that. We know all of the things that we are suggesting have enjoyed bipartisan support in the past. These have not been partisan issues. There is no reason why now it must be. So we offer this amendment in good faith, hoping that our Republican colleagues will join us in building on the success of the past and ensuring that we really have local control, in recognizing the educational tools that can be of extraordinary benefit to students and teachers all over this country. That is what this amendment is about, and I urge its adoption.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 3110. The yeas and nays have been ordered. The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI) and the Senator from Delaware (Mr. ROTH) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 89 Leg.]

YEAS—98

Abraham	Coverdell	Helms
Akaka	Craig	Hollings
Allard	Crapo	Hutchinson
Ashcroft	Daschle	Hutchinson
Baucus	DeWine	Inhofe
Bayh	Dodd	Inouye
Bennett	Dorgan	Jeffords
Biden	Durbin	Johnson
Bingaman	Edwards	Kennedy
Bond	Enzi	Kerrey
Boxer	Feingold	Kerry
Breaux	Feinstein	Kohl
Brownback	Fitzgerald	Kyl
Bryan	Frist	Landrieu
Bunning	Gorton	Lautenberg
Burns	Graham	Leahy
Byrd	Gramm	Levin
Campbell	Grams	Lieberman
Chafee, L.	Grassley	Lincoln
Cleland	Gregg	Lott
Cochran	Hagel	Lugar
Collins	Harkin	Mack
Conrad	Hatch	McCain

McConnell	Rockefeller	Stevens
Mikulski	Santorum	Thomas
Moynihan	Sarbanes	Thompson
Murkowski	Schumer	Thurmond
Murray	Sessions	Torricelli
Nickles	Shelby	Voinovich
Reed	Smith (NH)	Warner
Reid	Smith (OR)	Wellstone
Robb	Snowe	Wyden
Roberts	Specter	

NOT VOTING—2

Domenici	Roth
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The amendment (No. 3110) was agreed to.

VOTE ON AMENDMENT NO. 3111

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3111. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Delaware (Mr. ROTH) is necessarily absent.

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 90 Leg.]

YEAS—45

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Murray
Breaux	Inouye	Reed
Bryan	Johnson	Reid
Byrd	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden

NAYS—54

Abraham	Fitzgerald	McCain
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Roberts
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Campbell	Hatch	Smith (NH)
Chafee, L.	Helms	Smith (OR)
Cochran	Hutchinson	Snowe
Collins	Hutchison	Specter
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Enzi	Mack	Warner

NOT VOTING—1

Roth

The amendment (No. 3111) was rejected.

Mr. JEFFORDS. I move to reconsider the vote.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CRAIG. Mr. President, I rise today to address once again the education of our children. This week we have been debating S. 2, the Educational Opportunities Act. More importantly, we have been debating a difference in philosophy between Democrats and Republicans.

The Democrats have stood before us and proclaimed that Republicans want to weaken the Federal stranglehold on our education system.

The Democrats have stood before us and accused us of wanting to turn

power from the beltway to parents and teachers.

Well, Mr. President, I plead guilty.

In fact, let us examine exactly what Republicans want to do.

We want to reduce overhead costs to put more money into the classroom, make States and local districts more accountable, and provide greater flexibility for teachers and parents to make the decisions which affect their children.

Anyone who has itemized taxes, applied for an FAH loan, been in the military, or just dealt with the Federal Government knows how stifling the paperwork can be. People all across this country make a fine living helping people deal with Federal bureaucracy.

So, it is easy to imagine how a school district can devote half of its administrative staff to administer the 7 percent of its budget that comes from the Federal Government.

Just imagine how much paperwork you have to do to send money to the Federal Government.

Now imagine how much that would increase if they were giving you money—and then imagine if you were receiving millions of dollars a year.

It is easy to see how money and staff can be siphoned off to administer Federal funds—money and staff that could go to teaching our children.

Our bill reduces Federal paperwork in order to put more money into the classroom.

Every student knows that grades—a measure of your accomplishment—are important. Every day parents and teachers hold them accountable for their grades.

These same students may find it surprising that school districts and States are not held accountable for their achievements with the billions of Federal tax dollars they receive.

Our bill says enough is enough. It is time to hold States accountable for student achievement.

Our bill offers an opportunity for 15 willing States to consolidate up to 12 Federal grant programs and free themselves from Federal redtape. However, the States must use that flexibility to boost student achievement—which they will be held accountable for. A noble concept.

The pillar of our public school system is to allow everyone free and open access to a high quality education. And, generally, it works.

Unfortunately, there are schools out there that are denying our students the basic education they need. And, students who can't afford private education, are stuck in the schools where they live.

That should not be the case. Our bill says that if a school that generally reaches disadvantaged students is designated as failing for 2 years, the district would be required to offer any child enrolled in the failing school the option to transfer to a higher performing public school.

If a school continues to fail for another 2 years, the district would also

have to cover the students' transportation costs.

If all public schools within a district were identified as failing, then the district would be directed to form a cooperative agreement with another district to allow students to transfer.

And, finally, students attending these schools who either have been a victim of a violent crime on school grounds or whose school has been designated unsafe may also transfer to another public school.

This puts many decisions about a student's education in the hands of their parents, forces schools to be accountable for their achievement, and allows all students access to a quality education.

Mr. President, as I close today I want to ask every parent out there one question. Do you know better than a Federal bureaucrat in Washington what is best for your child? If the answer is yes, you should support our bill.

I also want to ask every school administrator and teacher out there one question. Do you know better than a Federal bureaucrat in Washington what is best for your students? If the answer is yes, you should support our bill.

After all, it is all about increased accountability, greater local and parental control, and more money in the classroom.

The PRESIDING OFFICER. The Senator from Alaska.

DAVID MAHONEY

Mr. STEVENS. Mr. President, our Nation has lost one of the great and modest men of our time, David Mahoney. A man who will receive posthumously one of the highest awards the medical community can bestow on a layman—the first Mary Woodard Lasker leadership in Philanthropy Award for “visionary leadership” from the Albert and Mary Lasker Foundation on May 9.

David, through his generosity, with both his time and his money, greatly expanded knowledge about the human brain, neuroscience, and the connection between body and brain which is helping people lead longer, healthier lives.

He led us through the “Decade of the Brain” and used his extraordinary marketing and public relations skills to foster awareness in Congress and our people of the importance of medical research and brain research in particular.

From his humble beginnings in the Bronx, my friend served as an infantry captain in World War II and then attended the Wharton School at the University of Pennsylvania while working full time in the mail room of an advertising agency.

David's talents did not stay hidden for long; by the time he was 25, he had become the youngest vice president of an advertising agency on Madison Avenue.

He went on from there to form his own agency in New York and then