

provisions. The Federal Government's involvement in education has always been to ensure that vulnerable populations are provided the additional funds that are necessary to their educational success. And I have heard from those people in Massachusetts who work with homeless young people and with troubled youth. And they have told me how incredibly important this Federal money is to these children. These children have so much going against their ability to succeed, I believe we must maintain our commitment to those children.

I am encouraged by the work my colleagues have done on this amendment. I am supportive of their new approach to public education reform and their attempt to draft legislation that would attract the support of both Republicans and Democrats. I am frustrated and saddened by the very partisan nature of this year's ESEA debate, and commend my colleagues for their fresh approach to ESEA reauthorization and their attempts to attract support from both sides of the aisle.

I regret that I cannot support this amendment, but I look forward to working with many my colleagues to address the concerns that I and other Senators have. I hope we can resolve these concerns and that we can bring this divided Senate together on the issue of public education. I look greatly forward to working with my colleagues in the future and deeply appreciate their hard work and new perspective on this critically important issue.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator controls 5 minutes before the vote.

Mr. KENNEDY. I yield myself 4½ minutes.

Mr. President, first of all, I thank Senator LIEBERMAN and his cosponsors for the focus and attention they have given to really the central priority for all families in this country in the area of education. The restlessness those Senators and others have with regard to making sure we are going to try to reach every needy child in this country is something we all should embrace and support.

I am not sure at this hour of the day, so to speak, in terms of the Elementary and Secondary Education Act, if it is possible to bring about the kind of change and focus that is desirable. But there are broad areas of support and agreement for that concept in terms of enhanced resources and enhanced accountability.

I certainly look forward to working with him in the future on this whole area of education.

I think the ideas that have been out there in terms of Safe and Drug-Free Schools, which has been basically a bipartisan effort in giving national focus and attention to that, and a sense of urgency, are still important to preserve. Senator DEWINE and Senator

DODD worked out an effort in that area in our committee. I think it is important to preserve it. The progress we have made in technology I think is worth preserving. The afterschool programs are really the most heavily subscribed programs. They also have bipartisan support and are a matter of national urgency. I don't think they have gotten the kind of attention they should have in the Lieberman amendment.

Finally, there are several programs that are working very well in terms of being included in the consolidation program. One of them I have particular interest in is "Ready to Learn." There is \$11 million on "Ready to Learn." It is done through the Public Broadcasting System. It reaches 94 percent of the country, 87 million homes, 37 million children, and received 57 Emmys. If you ask any public broadcaster in the 130 stations nationwide what the best children's program is, they will mention this one. I don't want to see that lost and sent back to any State thinking that could be recomposed.

The Star Schools Program works through nonprofits, again, led by strong bipartisan support, to try to reach out to schools that may not have a math and science teacher and up-to-date educational programs, and has been done through a number of States. It has been very effective through nonprofits. That is another program. It is a small program, but it has enormous educational values.

With reluctance, because I have great friendship and affection for my friend from Connecticut, I will not vote in support of it. But I want to certainly guarantee to him and to all of those who have been uniformly strong sponsors in our committee that I want to work closely with our colleagues on the other side to try to give greater focus and attention to the problems of the neediest students in the country.

I yield the remainder of my time.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The PRESIDING OFFICER. All time has been yielded.

Do the Senators wish the vote to begin early?

Mr. COVERDELL. Mr. President, I ask unanimous consent that we proceed with the vote.

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

The question is on agreeing to amendment No. 3127. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Delaware (Mr. ROTH), the Senator from Tennessee (Mr. THOMPSON), and the Senator from Nebraska (Mr. HAGEL) are necessarily absent.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Are there any other

Senators in the Chamber who desire to vote?

The result was announced—yeas 13, nays 84, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—13

Bayh	Graham	Lincoln
Breaux	Johnson	Moynihan
Bryan	Kohl	Robb
Edwards	Landrieu	
Feinstein	Lieberman	

NAYS—84

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

NOT VOTING—3

Hagel	Roth	Thompson
-------	------	----------

The amendment (No. 3127) was rejected.

Mr. KENNEDY. I move to reconsider the vote.

Mr. COVERDELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—AFRICA TRADE CONFERENCE BILL REPORT

Mr. LOTT. If I could get this unanimous consent request in, then we would understand what the procedure would be for today and tomorrow and even Thursday morning. So if my colleagues will bear with me one moment.

Mr. President, I ask unanimous consent that at 9:30 a.m. on Wednesday, the Senate proceed to the conference report to accompany the Africa trade bill, that the report be considered as having been read, and the vote occur on adoption of the motion to proceed immediately, and following the vote and the reporting by the clerk, I be immediately recognized to send a cloture motion to the desk. I also ask unanimous consent that the cloture vote occur on Thursday, May 11, at 10:30 a.m., with the mandatory quorum having been waived.

This has been discussed with the Democratic leadership.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. Reserving the right to object, I would like to see if we could give at least some assurances to the Members about when we would come back to deal with the education legislation.

As the Senator himself knows, this is our one chance every 5 or 6 years to try to deal with this issue. We have been making some progress during the course of these last few days. We do not have a whole long list of amendments, and we are prepared to deal with short time limits.

I am wondering now whether the leader could give us at least some idea when we are going to come back to it.

Mr. LOTT. Let me again emphasize, first, that this would provide for a vote at 9:30 in the morning on the motion to proceed to the Africa and CBI trade bill. If it is agreed to, then the cloture vote, by agreement, will be Thursday morning at 10:30.

With regard to the Elementary and Secondary Education Act, our colleagues probably are aware we have already agreed that there are two more amendments that, by unanimous consent, we would go to next—the Stevens-Jeffords and others amendment; to be followed by a Kennedy amendment. So we have the next group of two amendments that would be in order.

I have discussed this with Senator DASCHLE. It is our intent, now that we have appropriations bills that are becoming available, that, for probably now on into the summer, we are going to be dual-tracking bills wherever it is necessary, so we can get an appropriations bill done or an urgent bill such as the conference report on Africa trade and CBI. There is a belief we should go ahead and get that done and move to appropriations bills when they are available, and then come back to the authorizations, whether it is the elementary and secondary education bill or trade bill or whatever it may be.

So it is our intent to come back to ESEA and proceed with the amendments that it is already been agreed we will consider next while we work to see if we can get another grouping of two or more amendments to be considered.

I agree, there has been good debate. The amendments have been focused on elementary and secondary education, and we have amendments still pending on both sides that relate to that. As long as there is that kind of cooperation and progress being made, I think we should continue to pursue it.

So it is my intent to come back to elementary and secondary education, if not later on this week, then next week, when we have a window.

Mr. KENNEDY. Mr. President, I appreciate what the Senator has said. As I understand, he will make the best effort to come back to it this week, but we will have an opportunity to come back to it next week. Is that the leader's plan?

Mr. LOTT. That is my hope and intent. We should be able to do that and continue to move appropriations bills, also.

Again, it will take cooperation on the MILCON construction appropriations bill, which does have the military funding for Kosovo and for the fuel costs. We have the agriculture bill that is available that has, I believe, the disaster funding in it in addition to the regular agricultural appropriations programs. And the Foreign Operations bill has been reported.

But we will work with the leadership as to exactly when those will come up. We will try to move through those three as quickly as we can and try to move the Africa trade bill with the CBI provisions, and the ESEA. I think those three appropriations bills and these two—the conference report and this authorization bill—will take the remainder of the time probably for the next couple weeks. We are going to stay on it.

Mr. KENNEDY. Mr. President, just further reserving the right to object, and I will not object, I take the assurances of the leader that we will return to this in every expectation next week. I think there are many of us who believe this issue is of equal importance to a number of the appropriations bills, since we are talking about appropriations next fall, next October, and we are running late in terms of the ESEA. So there is a real sense of urgency about it. But I am grateful to the leader for giving us those assurances.

I do not object.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, if I could go further, I ask unanimous consent that the time between 9:30 a.m. and 10:30 a.m. on Thursday be equally divided in the usual form on the subject of the African and CBI trade bill.

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

Mr. LOTT. Therefore, a rollcall vote will occur at 9:30 a.m. on Wednesday, and a vote is scheduled for 10:30 a.m. on Thursday. There may be additional votes after that.

I think Members should expect additional votes on Thursday, although we have not agreed to what they would be at this point.

I do want to note that I certainly believe the Elementary and Secondary Education Act is very important. That is why we have been on it the second week. We have given a lot of time to it. I think that is fine. This is a high priority in the minds of the American people and every State in the Nation, and with us.

However, the appropriations bills each have emergency provisions in them—an emergency for the Kosovo funding and the fuel costs for our military; the agriculture bill has the emergency disaster funding in it, though some of it for North Carolina, and expected disasters; and the Foreign Oper-

ations bill has funding in it for the very dangerous situation involving Colombian drugs. That is why we are going to be trying to move those as quickly as possible.

I thank my colleagues and announce there will be no further votes this evening.

#### EDUCATIONAL OPPORTUNITIES ACT—Continued

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENT NO. 3139

(Purpose: To provide for early learning programs, and for other purposes)

Mr. STEVENS. Mr. President, I have an amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for himself, Mr. KENNEDY, Mr. JEFFORDS, Mr. DODD, Mr. DOMENICI, Mr. BOND, Mr. KERRY, Mr. VOINOVICH, Mr. LAUTENBERG, Mrs. MURRAY, Mr. COCHRAN, Mr. BINGAMAN, Mr. SMITH of Oregon, Mr. DURBIN, Mr. L. CHAFEE, Mr. BAUCUS, Mr. MURKOWSKI, Mr. ROBB, Mr. ROCKEFELLER, Mr. ROBERTS, Mr. WELLSTONE, Mrs. FEINSTEIN, Ms. MIKULSKI, Ms. SNOWE, Mrs. BOXER, Mr. KERREY, Mr. SPECTER, and Mr. WARNER proposes an amendment numbered 3139.

Mr. STEVENS. I ask unanimous consent reading of the amendment be dispensed with.

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

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

Mr. STEVENS. Mr. President, I yield to the Senator from West Virginia to make a short statement.

The PRESIDING OFFICER. The Senator from West Virginia.

#### KOSOVO AMENDMENT

Mr. BYRD. Mr. President, the Senate Appropriations Committee today adopted, by a very strong bipartisan vote, an amendment authored by Senator WARNER and myself that addresses the ongoing role of United States participation in the Kosovo peacekeeping operation. Our amendment, which was attached to a Kosovo supplemental appropriations package, is cosponsored by Senator STEVENS and a number of other Senators on both the Appropriations and Armed Services Committees.

The Byrd-Warner amendment goes to the heart of the constitutional responsibility of Congress to address issues involving the deployment of U.S. military troops to politically unstable and potentially dangerous war-ravaged nations overseas.

I am troubled by the trend that has developed in recent years to de facto authorize military operations through appropriations bills without further congressional discussion or debate on the policy. Under this practice, the Executive Branch determines how and