

DEPARTMENTS OF LABOR,  
HEALTH AND HUMAN SERVICES  
AND RELATED AGENCIES APPROPRIATIONS, 2001—Continued

Mr. MURKOWSKI. Mr. President, I have been asked by the leader to file a number of amendments as an amendment to the underlying Labor-HHS bill. The amendment is the Republican energy security package. I ask unanimous consent that it be so filed. I appreciate the willingness of the leader to file the amendment.

The PRESIDING OFFICER (Mr. ROBERTS). The Senator has the right to file an amendment.

Mr. MURKOWSKI. I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I am here as the ranking member on the Labor-HHS appropriations bill, which is pending this morning. We had hoped Senators would come over and offer amendments. We had a good amendment earlier by Senator BOND from Missouri. I thought we could move ahead on that, but it looks as though we have diverged to other issues.

As long as that is the case, I feel constrained also to talk about the problems we have with high gasoline prices in the Midwest.

I was listening to my colleague from Alaska speak. Quite frankly, I got to thinking about what is happening in the Midwest and upper Midwest with high gasoline prices. It occurred to me there are all kinds of rumors going around about why this is happening: There is a broken pipeline; there is a shortage of crude oil; reformulated gasoline, with ethanol is the problem—there is all this talk swirling around out there, everybody blaming everybody else.

No one knows the answers. That is why yesterday I wrote a letter to the chairman of the Senate Committee on Energy and Natural Resources asking him to hold emergency public hearings to subpoena the heads of the major oil companies, bring them to Washington and put them under oath, and then start asking them the tough questions. Then I believe we might get to the bottom of it.

I say to the chairman of the Energy Committee, use the powers of subpoena. Bring the heads of the oil companies to Washington. Maybe they do have an answer. Maybe there are logical reasons why the price of gasoline is so high. I doubt it, but let them have their say. I say put them under oath, just as we did with the tobacco company executives a few years ago. Let's put them under oath and ask them the tough questions. Let Senators from both sides ask them the questions about why we have these high and divergent gasoline prices in the upper Midwest. Maybe we can get somewhere and find answers.

I also asked the head of the Federal Trade Commission to do the same

thing: subpoena records and subpoena the oil company executives to come to Washington in an open, public hearing so that the public can hear for themselves the answers to these questions.

I want to talk for a moment about all of the claims and assertions going around that reformulated gasoline and ethanol are the cause of the increase in prices in the upper Midwest. I just heard the Senator from Alaska allude to reformulated gasoline being part of the problem. If reformulated gasoline is the problem, then why is it that we have reports that of instances where reformulated gasoline, including where ethanol is used, is actually below the price of conventional gasoline.

That has happened in Louisville, KY, and St. Louis, MO, where they have an RFG requirement, according to EPA.

EPA has said that RFG with ethanol would not be more than a penny a gallon higher than RFG without ethanol. Even that may be high. Yesterday, in Chicago, the price of conventional gasoline at wholesale was \$1.24 a gallon. The price of reformulated gasoline with ethanol was \$1.24 a gallon. It was the same price at the wholesale level. And said, in some markets, we found that reformulated gas is at a lower price than conventional gasoline. That makes sense because ethanol is now actually cheaper than gasoline.

The Senator from Alaska talked about an energy policy. One of the energy policies of this administration has been to promote the use of ethanol and renewable fuels. I know the Presiding Officer is a big supporter of ethanol, too. So is this Senator. But every time we try to promote ethanol, we are stymied by the oil companies. They have some reason why they cannot use ethanol. I will tell my colleagues why they do not want to use ethanol: Because they cannot control it, and if we continue to produce more ethanol in this country, it is going to provide an alternative to gasoline which will keep the price of gasoline down. That is purely and simply why the oil companies do not want ethanol. We have been through this battle going clear back to the Clean Air Act Amendments of 1990 and earlier.

Years ago, the oil companies put lead in their gasoline. We found out lead was causing all kinds of problems, physiological problems in kids and adults. So we had to force them to take the lead out. In order to keep the octane up, then they said: We are going to use these aromatic and toxic compounds, such as toluene, benzene, and xylene. They put that witch's brew together in the gasoline to keep the octane up.

Then we found out many of these compounds were air polluting, toxic, and carcinogenic. About that time, around 1990, we passed the Clean Air Act. We in the Senate mandated an oxygenate requirement of 3.1 percent for gasoline to clean up the air and to meet clean air standards.

That is what the Senate adopted. It went to conference. I thought we had it

settled that we were going to have 3.1 percent. The oil companies weighed in. They got that knocked down to 2.0 percent.

We may not have appreciated what they were up to. Two percent oxygen is better than nothing so we went with 2 percent. But the oil companies had something called methyl tertiary butyl ether, which they could use as an oxygenate and also that would help meet the clean air standards, at the 2-percent level. MTBE would not have been so heavily used at the 3.1 percent level because MTBE has a much lower oxygen content than ethanol.

Ethanol could do it at the 3-percent level but not MTBE. So the oil companies got back in, knocked it down to 2 percent, and guess what happened. The market was flooded with MTBE, and because the oil companies have control over it, it has kept the production of ethanol down for the last decade.

Then what did we find out? First of all, we had the lead that the oil companies pushed off on us. Then we had the aromatics and toxics which they pushed off on us. Now we have MTBE which they pushed off on us, and it is polluting water supplies all over the country. State after State is beginning to ban MTBE, such as California and other States. I assume that presently, or very shortly, we are going to have a ban on all MTBE in the United States.

They fooled us once, they fooled us twice, and they fooled us three times. Are we going to let them fool us again? Now they say they can come up with something else. Now they have something else they are going to try to put in the gasoline to meet the Clean Air Act. They want to get rid of the oxygenate requirement in fuel totally and do it their way. Then ethanol does not have a role. That is the oil companies for you. They stymied everything we have ever tried to do to provide for alternative source fuel, especially ethanol.

It costs basically the same amount of money to take oil out of the ground today as it did a year ago or a year and a half ago. It does not cost any more. Yet we see the price going up.

The International Energy Agency has pointed out we have a greater supply, than demand of oil by about 3 million barrels a day. I have always thought, if supply exceeds demand, the price goes down. The oil companies have stood that on its head. We have an excess of supply over demand by 3 million barrels a day and the price is way up.

The Senator from Alaska said that over the next—I don't know what timeframe he was using—that the oil companies would need \$1.5 trillion for new infrastructure, \$1.5 trillion for new pipelines, new refineries, new infrastructure for oil and gas. Yet we try to get a few million dollars to help ethanol production, to help biomass fuels which are renewable. We need to get a few million dollars in for the use of hydrogen in fuel cells and for fuel cell research, which would be a tremendous

alternative to burning gasoline in our cars—where you could take solar energy, in the form of direct solar energy or biomass, or hydroelectric, use that power to separate hydrogen from oxygen, take the two atoms of hydrogen off of the water, separate the hydrogen, use that hydrogen—you can compress it, you can store it, you can pipe it—you can even liquefy it; that is a little expensive—and then you can put that through a fuel cell, it combines again with oxygen, and it makes electricity. And you use that electricity to power lights, to drive a car, to drive a bus. That is being done today.

We have buses running in Vancouver, British Columbia powered only by fuel cells. We have the technology. It is a little expensive right now, I grant that. But the more we mass-produce it, the cheaper it is going to become.

The future for energy production and energy use is not bleak; it is very bright. It is clean, it is renewable, and it is plentiful. If we can get out from underneath the grip that the oil companies have on America, if we can move ahead, instead of \$1.5 trillion for new infrastructure for oil and gas, if we just take a fraction of that amount of money and put it into fuel cell production, put it into biomass fuels and solar energy and the production of ethanol, we could have a blend of fuels in this country that would offset the increases we would need over the next 20 to 50 years.

But this Congress will not invest in it. This Congress—will not invest nor have other Congresses invested—in what is needed for clean, renewable energy in the form of hydrogen extraction for fuel cells.

As I said, we have two paths to go. We can go down that same path we have been going down with the whole carbon cycle, using more and more oil, refining it, trying to clean up the air, trying to clean up oil spills, or we can go for clean, renewable fuels like ethanol and biodiesel, and hydrogen for use in fuel cells which are much more efficient, too, by the way.

So, no, we do not have to continue to pay obeisance to the oil companies. I think maybe now, with what is happening in the upper Midwest, what we see happening around the country, maybe now Congress can start to move and make some changes in our energy policy.

The bottom line: Get the oil company executives here. Put them under oath. Ask them the tough questions. Then we will begin to get to the bottom of this.

I did not mean to really talk on energy, but I heard the Senator from Alaska talking about it and thought I should respond because I believe there is another side to this story other than just going down the pathway of promoting oil and more oil use in this country and around the world.

But as I said in the beginning, we are here because of the Labor-HHS bill and the impact it has on our society in all

of its forms: education, health, job training, medical research.

I believe one of the crucial aspects of our bill that we fund here every year on Health and Human Services is the need—the great need—we have in this country to ensure that our elderly citizens have access to quality health care. That is why the administrative costs of Medicare and the running of the program fall under our jurisdiction. The actual levels of Medicare and Social Security fall under the Finance Committee. But we are charged with the responsibility of making sure it runs and that the elderly get the kind of quality health care accessibility that they need. One of the items impacting the elderly the most in that regard today is the extremely high price of prescription drugs.

Last night, we had a crucial vote in the Senate on that issue. We had the first real vote this Congress on whether our seniors should get help with the high cost of prescription drugs. That is what the vote was about. Unfortunately, all but two of our colleagues on the Republican side joined together to defeat Senator ROBB's motion and to deny seniors the help they desperately need with high prescription drug costs.

It is too bad it fell along partisan lines. This is not a partisan issue. I have had town meetings with seniors in my State. I don't ask them whether they are Republicans or Democrats. They all come to the meetings. It tears my heart out to hear their stories of \$4,000, \$5,000, as much as \$6,000 a year that they are paying out of pocket every year for prescription drugs with no help. It should not be a partisan issue. It is too bad that all of our colleagues on the Republican side joined together to defeat it except two.

I hope it is only a temporary setback. I challenge our colleagues on the other side of the aisle to join us, to join our seniors, to join the overwhelming majority of Americans who support a Medicare drug benefit. Our seniors need real help. They don't need the kind of sugar pill that is being prescribed by the House Republican leadership.

The House Ways and Means Committee this week passed a prescription drug benefit. Quite frankly, it does not answer the problem. It is an insurance program that reimburses insurance companies, not our seniors. It is not affordable. It is not an option for seniors in all regions of the country. It is not universal. There is no guaranteed access to needed drugs and local pharmacies. There are no protections against high drug costs. Who benefits from what the House did? The drug companies and the insurance companies. The House basically said that if you are a single person and you make over \$12,500, there is no assistance to you. They are saying to the seniors of this country, if you make over \$12,500 a year, tough luck. You have to pay for it all out of pocket. A lot of the people who have incomes under \$12,500 qualify for Medicaid anyway; they get help with their drug costs.

What the Republicans in the House did only answers a need for a very narrow band of seniors—the very poor. What about the elderly who are making \$15,000 a year? They are left out in the cold. Seniors making \$20,000 a year who may still have payments on a house, maybe they have their property taxes to pay, they have heating bills, food bills, they have clothing bills. We would like to have them enjoy a little bit of their retirement years, maybe take a little vacation once in a while. They can't do that. They won't be able to do that under the House-passed bill because they will have to have an income of less than \$12,500 a year. If it is over that, even with that, the benefits go to the drug companies and insurance companies and not to the seniors.

I think our seniors have waited long enough. They have been in the waiting room long enough for this. When our seniors see the vote that was taken last night, they are going to be mad, and they have every right to be. That is the first time we voted on this. We will continue to try. We will reach across the aisle and hope to make this a bipartisan effort. Senators will have another chance to vote again on the issue of prescription drug benefits for our elderly. Hopefully, the next time we do it, we will have a different result. We can provide meaningful help for our seniors to pay the extremely high cost of drugs they are having to pay today. So many of our seniors are being forced to choose between food, heat in the wintertime, maybe even air conditioning in the summertime, a choice between that and paying for prescription drugs. It is a choice they should not have to face.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

(The remarks of Mr. WARNER pertaining to the introduction of S. 2782 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KENNEDY. Mr. President, before addressing the Senate on the matters before us in terms of education and the HHS appropriations bill, I commend my good friend from Iowa for a splendid presentation on energy policy as well as on prescription drugs. He talked with great knowledge and understanding about some of these advanced technologies which can make an enormous difference in terms of our region of the country, the Northeast. With the kinds of research he has supported and which the administration has tried to achieve with their budgets being denied by the other side, I am very hopeful that we can follow a number of those recommendations that he has made. I think they are sensible and responsible, and they can make an enormous difference on energy policy.

As always, he has summarized very completely the challenge that is before the American people on the question of prescription drugs. We had a brief debate last evening. We have been waiting some 17, 18 months to get action.

We still have not had the action by the respective committees. Given the fact that so many of our senior citizens are suffering, we want to move this process forward.

I join with the Senator from Iowa and our other colleagues, the Senator from Florida, Mr. GRAHAM, Senator ROBB, and our leader, Senator DASCHLE, who has done so much to advance this issue for us in the Senate, hoping that we can in the remaining days fashion and shape legislation that will have the support of this body. I think, as was evident last night, we still have a long way to go.

I regret very much that we are taking up the Labor-HHS-Education Appropriations bill for education, before we have completed action on the authorizing bill, the Elementary and Secondary Education Act. I am distressed by this fact because we know that education is a national priority.

We have an opportunity this year to do our part to help local communities improve their schools by strengthening the Elementary and Secondary Education Act. And, to Democrats, this is must-pass legislation.

We have tried to make this a priority in the Senate. Six weeks ago we were debating education policy. That legislation was pulled. We did receive assurances that we would get back to the debate on education policy, but we have not had that opportunity to do so. I regret it. Parents regret it and students and teachers and those involved in the education of the children of this country should regret it.

We now have before us the funding mechanisms for education. We are really putting the cart before the horse. We are talking about the funding without having the debate on what the education policy should be.

That is not the way to deal with the Federal involvement and participation in sound education policy. We have differences about how to do what we ought to fund. We have a limited role, granted. Only 7 cents out of every dollar that is expended at the local level is actually provided by the Federal Government, but this is not an unimportant funding stream.

Historically, what we have tried to do is debate these issues, resolve these questions, develop a policy, and then fund that policy. But we have not had that opportunity. This is in spite of the fact that we have had a lot of bold statements about the importance of education.

We had our majority leader in January of this year saying:

Education is going to be a central issue this year. For starters, we must reauthorize the Elementary and Secondary Education Act. That is important.

That is what I wish we had the opportunity to do. However, it has been 6 weeks since we had that legislation. We had it before the Senate 6 days, and 2 days we had debate only. We had eight amendments, and three of those were unanimously accepted. There were only

5 amendments that would not have been universally accepted by roll call votes.

We have our leader talking about the importance of education as a matter of national priority in January. At the Mayors Conference on January 29, he said:

But education is going to have a lot of attention, and it's not going to just be words.

... Education is number one on the agenda for Republicans in the Congress this year. ...

That was in 1999.

On February 1, 2000:

We're going to work very hard on education. I have emphasized that every year I've been majority leader. ... And Republicans are committed to doing that.

Then he said on February 3, 2000:

We must reauthorize the Elementary and Secondary Education Act. ... Education will be a high priority in this Congress.

Congress Daily, April 20, 2000:

... LOTT said last week his top priorities in May include an agriculture sanctions bill, Elementary and Secondary Education Act reauthorization, and passage of four appropriations bills.

And we still haven't had the reauthorization.

On May 2, the majority leader was asked:

Senator, on ESEA, have you scheduled a cloture vote on that?

Senator LOTT. No, I haven't scheduled a cloture vote. ... But education is number one in the minds of the American people all across this country and every state, including my own state.

We are still waiting for that. We had 55 different amendments on the bankruptcy bill. Why aren't we saying that education is important? Why aren't we debating it today, or this afternoon, or next Monday, and having votes on it? We are not doing that and we ought to be doing that—It is the Nation's business.

So this is an important matter for policy makers and parents. When they hear the leaders of the Senate saying it is a priority and it is important, that we ought to do it, we have to do it, we are committed to doing it, yet we never do it, they have to ask are we serious about this issue. I think these are very serious questions: Are we going to find the time to debate what is on the minds of most families in this country? How their children are going to get the best possible education? What are we going to do at the local level, State level, and Federal level to try to be able to achieve it? This is a matter of very considerable concern.

Secondly, I remind our colleagues that education is only 2.3 percent of the Federal fiscal year 2000 budget. Defense is 15 percent. Interest on the debt is 12.3 percent. Entitlements are 12.6 percent. Medicare is 6.5 percent. Medicaid is 11.1 percent. Social Security is 22.5 percent. Nondefense discretionary is 17.1 percent.

I don't think that is what American families think is a priority. This institution is about prioritizing for the

American people. How do we reflect their principal concerns in prioritizing and allocating resources in the budget? I daresay that American families want more than 2.3 percent of our Federal budget supporting education.

Now, there are those on the other side of the aisle who do not want to see that. They say they don't want any Federal participation. Some on that side have advocated the abolition of the Department of Education. They have wanted to rescind money that we have appropriated. That has been their position, and I don't agree with it.

When you see that education is only 2.3 percent of the Federal budget—if you took any part of America and brought together a group of Americans and asked them how they wanted to allocate the Federal dollars, they will talk about national security, certainly, and that is an important priority, and Medicare and Medicaid and Social Security; those are obviously matters of priority. But they would also want to make sure we were going to do more in the area of education—more than 2.3 percent. If you take what we are doing at the K-through-12 level, it is below 1 percent. The remainder of the 2.3 percent includes higher education initiatives including Pell grants and Stafford loans. If you look at what we are doing for the 53 million American children going to school every day, we are at less than 1 percent—less than 1 percent of our budget.

I think we are talking about what most families want. They want a partnership between the Federal, State, and local governments to try to find out what programs are effective and what will enhance academic achievement and accomplishment for their children. Let's invest in those programs and let's have tough accountability measures to make sure we are going to get results. That is what this side of the aisle wants to do.

This chart is reflective of what has been happening. The Federal share of education funding has declined. This shows in 1980, elementary and secondary education—it was 11.9 percent in 1980, and it was down to 7.7 percent in 1999. The second part is higher education, 15.4 percent in 1980, and down to 10.7 percent in 1999. These indicators are going down when they ought to be going up. That is basically the issue of choice.

If you look at what is happening in terms of allocation of priorities in the elementary and secondary education, we are seeing the collapse of the national commitment in terms of educating children in this country. This is wrong. We are talking about priorities, and I think this is an issue that will have to be a matter before the country in this national election.

We have seen in the eighties and coming into the nineties a gradual decline in Congress assisting local communities, at a time when there has been an exploding population in K-12. There are scarcer resources going to

assist local communities, as we have been able to acquire an increasing knowledge and awareness about efforts that are actually working and enhancing academic achievement.

That is the dilemma. That is the dilemma with the budget resolution. The Republican budget resolution allocated a certain amount of resources for the Labor-HHS-Education appropriations bill. I admire the work that has been done by my colleagues, Senator HARKIN from Iowa and Senator SPECTER from Pennsylvania. In spite of their best efforts, because there has been a reduced allocation for their budget, there is going to be a cutback in many of the programs which make a vital difference in educating the children of this country.

It does not have to be that way. Included in this budget is a tax cut of some \$718 billion over 10 years. When there is an allocation for a tax cut of \$718 billion, there is going to be a short shrift of some programs, and in this instance it is education. The American people ought to understand that. I believe it is a higher priority to invest in children and in programs that work rather than having tax breaks for wealthy individuals and corporations of this country.

This ought to be an issue during the course of this election because if we are not going to see any departure or change in the leadership in the House or the Senate, we will continue to see this decline in assisting in education. That is irrefutable.

I am going to review for the Senate what has happened to some programs that have focused on the enhancement of education. There are cutbacks by the Republican leadership in allocating resources to the Senate appropriations subcommittee because they want a large tax break over a period of years. Democrats have some tax breaks, about a third of what the Republicans want. We have about a third of the cut, but we enhance the programs that are working. That is the major difference.

This is not a time for cuts in education. We need to increase our investment in education to ensure a brighter future for the Nation's children. Unfortunately, the bill approved by the House of Representatives is a major retreat from these priorities. It slashed funding for education by \$2.9 billion below the President's request. The House bill is even worse than the bill that is before the Senate. Unless we are going to enhance some of these programs during the debate next week, then we cannot expect, when the House and Senate meet, that there is going to be a compromise that is not going to have a further diminution of our commitment than what is before the Senate at this time.

The House bill zeros out critical funds to help States turn around failing schools. It slashes funding for 21st century learning center programs by \$400 million below the President's request, denying 900 communities the op-

portunity to provide \$1.6 million for after-school activities to keep children off the streets, away from drugs and out of trouble, and help them with their studies.

Of all the requests for resources for programs by local communities, perhaps the highest number of requests is for after-school programs. They are working, they are effective, and they are keeping children out of trouble and enhancing academic achievement. These programs are being cut.

It eliminates the bipartisan commitment to help communities across the country reduce class size in the early grades. The federal Class Size Reduction program is making a difference. For example, in Columbus Ohio, class sizes in grades 1-3 have been reduced from 25 students per class to 15 students per class. We need to invest more in this program, so that communities can continue to reduce class sizes.

It cuts funding for Title I by \$166 million below the President's request, reducing or eliminating services to 260,000 educationally disadvantaged children to help them master the basics and meet high standards of achievement—260,000 fewer children will be able to benefit from that program.

It reduces the funding for the Reading Excellence Act by \$26 million below the President's request, denying services to help 100,000 children become successful readers by the end of the third grade. What sense does that make? We ought to be enhancing our effort to ensure literacy among children in our country. We know what works. Instead, they are cutting back on that effort which has been very successful.

It slashes funding for Safe and Drug Free Schools by \$51 million below the President's request, denying communities extra help to keep their students safe, healthy, and drug-free, with the development of conflict resolution programs to help schools and school teachers have more orderly, disciplined classrooms and schools. This program is used in schools all over this country. It is not going to resolve all the problems of school violence and school discipline, but it is enormously helpful and useful in trying to help teachers, parents, and officials in local communities to make schools safer and drug-free.

This bill does nothing to help communities meet the most urgent repair and modernization needs.

These needs are especially urgent in 5,000 schools across the country. We have the GAO study that says it will cost \$112 billion to repair and modernize schools so that children go to school in buildings that are modern and safe, and not overcrowded. The administration has come up with a very modest program to help schools in this effort. This effectively turns its back on that effort.

It slashes funding for GEAR UP by \$125 million below the President's re-

quest, denying more than 644,000 low-income middle and high school students the support they need for early college preparation and awareness activities.

It does nothing to increase the funding for Teacher Quality Enhancement Grants, so that more communities can recruit and retain better qualified teachers.

It slashes funding for Head Start by \$600 million below the President's budget, denying 50,000 low-income children critical preschool services.

It slashes funding for dislocated workers by \$181 million below the President's request, denying over 100,000 dislocated workers much-needed training, job search, and re-employment services.

It reduces funding for Adult Job Training by \$93 million below the President's request, denying 37,2 and the second part is higher education 00 adults job training this year.

If this program goes through, in terms of trade with China, we know there are going to be sectors of our economy that are going to do very well, but there are others that are going to be adversely impacted.

Rather than cutting back and slashing training programs for workers who are going to be dislocated, we ought to be strengthening those programs, if we are going to be fair and have a fair and balanced policy on the issues of trade. We are going in the wrong direction.

It cuts youth opportunities grants by \$200 million below the President's request, eliminating the proposed expansion to 20 new communities, reducing the current program by \$75 million, and denying 40,000 of some of the most disadvantaged youth a bridge to the skills and opportunities of our strong economy and alternatives to welfare and crime.

It slashes Summer Jobs and Year-Round Youth Training by \$21 million below the President's request, reducing the estimated number of low-income youth to be served by over 12,000.

What do you expect these young people are going to be involved in? You don't think they are going to look for other routes? And then we are going to have complaints about the problems in terms of an increase in violence and dangerous behavior when we are basically underserving and failing in terms of meeting these requirements—all because we are trying to save money for a tax break for wealthy individuals. That is the alternative.

The Senate bill does take some positive steps towards better funding for higher education.

It does increase the Pell grant by \$350 to \$3,650. This is enormously important.

The average income for those families is \$9,000. If you take children with similar academic test results—not that test results are the only indicator; but let's take those—that makes it even more extraordinary because these children who are coming from low-income

and lower-middle income families don't have the advantages that many other children have in taking these prep courses for the SATs and other college aptitude tests. But if you take children with the same academic test results, the chance for children in the lower quarter percentile to continue in higher education is 25 percent of what it would be if they were in the top third of income. Mr. President, 82 percent of children in the top third income bracket continue in higher education. And for just the children who are eligible, 25 percent of them continue in higher education from the lower income bracket.

We are finding the disparity in education increasing. We made the efforts years ago, starting in the 1960s, with Republican and bipartisan support, to try to see that there was not going to be enormous disparity in the area of education. That is increasing now. The danger we are facing is whether we are going to see it further increase in the areas of technology.

There has been a funding increase of \$1.3 billion in IDEA, which I strongly support. I remember offering the amendment last year when we had the tax bill. It was \$780 billion over 5 years, to fully fund the IDEA. That would have taken a fifth of the tax bill. And it went down in a resounding defeat. It was a pretty clear indication that the Republican leadership won't fully fund IDEA for a tax cut, but will try to fund the IDEA even if it means cutting back in some of these very important programs that reach out to the neediest children.

Once again, the Republican leadership has put block grants ahead of targeted funding for education reforms. Block grants are the wrong approach. They prevent the allocation of scarce resources to the highest education priorities. They eliminate critical accountability provisions that ensure better results for all children. The block grant approach abandons the national commitment to improve education by encouraging proven effective reforms of public schools.

Block grants are the wrong direction for education and the wrong direction for the Nation. They do nothing to encourage change in public schools.

The bill includes \$2.7 billion more for the title VI block grant, but it eliminates the Federal commitment to reducing class size. It does nothing to guarantee funds for communities to address their urgent school repair and modernization needs.

It is unconscionable to block grant critical funds that are targeted to the neediest communities to reduce class size. Under the bipartisan Class Size Reduction Program that has received bipartisan support for the past 2 years, funds are distributed based on a formula that is targeted to school districts 80 percent by poverty and 20 percent by population. But under the title VI block grant, funding is distributed based solely on population—it includes

no provisions to target the funds to high poverty districts. This is unacceptable, when it is often the neediest students that are in the largest classes.

The national class size average is just over 22 students per class. But, in many communities—especially in urban and rural communities—class sizes are much higher than the national average.

In 1998, the publication *Education Week* found that half of the elementary teachers in urban areas and 44 percent of the teachers in nonurban areas had classes with 25 or more students.

Next week, we will have the opportunity to address education in this pending Senate appropriations bill.

Democrats will offer amendments to address as many of these critical needs as possible. I intend to offer an amendment to increase funding for Title II of the Higher Education Act, to help communities recruit and train prospective teachers and put a qualified teacher in every classroom. In addition, I will offer an amendment to increase funding for skills training by \$792 million to ensure the Nation's workers get the support they need in today's workplace.

Senator MURRAY will offer an amendment to continue the bipartisan commitment we have made over the last two years to help communities reduce class size in the early grades.

Senator HARKIN and Senator ROBB will offer an amendment to ensure that communities get the help they need to meet the most urgent repair and modernization programs.

Senator DODD will offer an amendment to increase funding for the 21st Century Learning Centers Program, so more children will have the opportunity to attend after-school activities.

Senator BINGAMAN will offer an amendment to help States turn around failing schools.

Senator REED will offer an amendment to increase funding for the GEAR UP programs, so more children will be able to attend college.

Other colleagues will offer additional amendments to increase the Nation's investment in education. The time is now to invest more in education. The Nation's children and families deserve no less.

Mr. President, I want to just take a moment of the Senate's time to speak on where we are on the Patients' Bill of Rights.

The American people have waited more than 3 years for Congress to send the President a Patients' Bill of Rights that protects all patients and holds HMOs and other health plans accountable for their actions.

Every day the conference on the Patients' Bill of Rights fails to produce agreement on meaningful patient protections, 60,000 more patients endure added pain and suffering. More than 40,000 patients report a worsening of their condition as a result of health plan abuses. This is happening every single day we fail to take action.

By all accounts, Republicans are working amongst themselves on the Patients' Bill of Rights. They are working in the middle of the night, behind closed doors, to produce a partisan bill that will surely fail the test of true reform. The crocodile tears were flowing from the eyes of the Senate Republican leadership on June 8 when we took the bipartisan, House-passed Managed Care Consensus Act to the floor for its first Senate vote. That legislation, which passed the House with overwhelming bipartisan support last year, is a sensible compromise that extends meaningful protections to all patients and guarantees that health plans are held accountable when their abuses result in injury or death.

Democratic Conferees sent a letter to Senator NICKLES on June 13. In that letter, we reiterated that we remained ready to negotiate on serious proposals that provide a basis for achieving strong, effective protections. But the Assistant Majority Leader has not responded. The silence is deafening.

The gap between the Senate Republican plan and the bipartisan legislation enacted by the House in the Norwood-Dingell bill is wide. And the intransigence of the Republican conferees is preventing adequate progress.

Make no mistake. We want a bill that can be signed into law this year. There is not much time left. We need to act now. The Republican leadership continues to refuse to guarantee meaningful protections to all Americans. They continue to delay and deny action on this critical issue. This debate is about real people. It is about women, children, and families.

This issue is a very basic and fundamental issue. It is whether doctors, nurses, and families are going to make the medical decisions for patients free of the decisions of the accountants for the HMOs. That is what this bill is really all about. That is why over 300 organizations support our particular proposal: patients organizations, every women's organization, every child's advocate, every cancer prevention and treatment organization is for us, every medical organization—including strong support from the American Medical Association. None of these organizations support the Senate Republican program or the lack of progress in the conference.

A third of all the Republicans in the House of Representatives supported the Dingell-Norwood bill. Now we have effectively 49 Members of the Senate who are supporting the Dingell-Norwood legislation. To just get a majority, one would think the changes that would have to be made in this would be extremely easy. I don't think they are that complex. But we still have the Republican leadership denying us the chance to do it.

I am always interested in the silence on the other side. I asked: In this Patients' Bill of Rights, which we have basically supported on our side, which one of these guarantees do you not

want to provide for your families and for your constituents?

The first one is to protect all patients with private insurance. This is the difference. Under the Democratic proposal, there are 161 million Americans who are covered. Under the Senate Republican program, there are only 48 million. Under the bipartisan House of Representatives program, it is 161 million. We ought to be able to decide that pretty easily. Do we want to cover everyone, which is 161 million, or are we going to cover only 48 million? If you put people together in a room, they have to be able to come out with some number. The Republican bill leaves out millions of Americans. I find it absolutely extraordinary to think that we wouldn't provide protections for all Americans.

Do we want to leave out the 23 to 25 million State and local employees—teachers, firefighters, police officers, public health nurses, doctors, garbage collectors, et cetera? Do we want to leave them out? They were left out of the Senate bill sponsored by the Republicans. We included them.

Do you want to leave out those who are the self-employed—farmers, child care providers, cab drivers, people who work for companies that don't provide insurance, contract workers, workers who are between jobs and unemployed? We cover them, 12 to 15 million people. The Republican bill does not cover them.

The bipartisan legislation that we support and which we voted on in the Senate on June 8 covers everyone. But the Senate Republican leadership says "no" to farmers, truck drivers, police officers, teachers, home day care providers, fire fighters, and countless others who buy insurance on their own or work for state or local governments. Republican conferees steadfastly refuse to cover all Americans. Their flawed approach leaves out two-thirds of those with private health insurance—more than 120 million Americans.

The protections in the House-passed bill are urgently needed by patients across the country. Yet, the Republican leadership is adopting the practice of delay and denial that HMOs so often use themselves to delay and deny patients the care they need. It's just as wrong for Congress to delay and deny these needed reforms, as it is for HMOs to delay and deny needed care.

We have listened to statements on the other side that, "This is all politics. This is all politics." We are asking: What is politics, to try to include everyone? What is politics is not including them and being in the debt of the HMOs and the industry. That is the politics.

So we ask, what is it that we don't want to provide—which one of over twenty different protections? Are we going to deny access to specialists? Are we not going to permit clinical trials? Are we going to refuse women access to OB/GYNs? What about prescription drugs that doctors give; are we not

going to guarantee that? Or are we going to prohibit the gag rule so doctors can give the most accurate information on various treatments? I hope. Are we going to ensure external and internal appeals as well as accountability? Are we going to ensure emergency room access? I would think so. Which of these protections do the Republicans not want to guarantee to the American people? That is the question we are asking. The American people are entitled to an answer. Three hundred organizations that represent the American people say they are entitled to it. We ought to be doing something about it.

Every day, we find out that Americans are being harmed. We were able to get bipartisan legislation through the House of Representatives. At the dead end of our conference, the courageous Congressmen, Mr. NORWOOD and Mr. GANSKE, came over and indicated that they believe we are not making progress. They support our efforts in the Senate. Two prominent doctors who happen to be Republicans strongly support our effort in the Senate to get action.

We reject the concept that this is just a political ploy. It is interesting to me, having been here for some time, that whenever you agree with the other side, it is wonderful and you are a statesman. If you differ, you are a politician; it is done for political purposes. We have listened to that all the time. We heard it last night on prescription drugs. We heard it on hate crimes. We heard it with regard to the Patients' Bill of Rights.

The American people understand the importance of this legislation. We want to give assurances to the American people, we are not letting up on this issue. We are going to press this issue on the Patients' Bill of Rights. We are going to press it, and press it, and press it until we get the job done.

We are going to do the same with prescription drugs, so our friends on the other side ought to get familiar with it. Just as we are going to come back to the issue of minimum wage, we are going to come back to it, and back to it, and back to it, if you want to dust off your speeches already and say that that is politics.

The idea of guaranteeing someone who works 40 hours a week, 52 weeks of the year, that they are not going to live in poverty is a fairness issue which the American people understand. We ought to guarantee that minimum wage for work in America. You can name it or call it anything you want, as long as we vote on it and get it and make sure they get the fair increase they deserve.

I thought we would have the chance to get into the debate and discussion on a number of these issues, but we are not having that opportunity today. I look forward to debating the issues the first of the week.

Mr. President, Congress can pass bipartisan legislation that provides

meaningful protections for all patients and guarantees accountability when health plan abuse results in injury or death. The question is "will we"?

The American people are waiting for an answer.

The PRESIDING OFFICER. The distinguished Senator from Georgia is recognized.

#### MORNING BUSINESS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

#### VICTIMS OF GUN VIOLENCE

Mr. HARKIN. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today.

June 23, 1999:  
Abdalla Al-Khadra, 23, Salt Lake City, UT;  
Khari Bartigan, 18, Boston, MA;  
Joseph Coats, 26, Chicago, IL;  
Wendell Gray, 22, Chicago, IL;  
Derwin K. Harding, 21, Oklahoma City, OK;  
Hosey Hemingway, 27, Miami-Dade County, FL;  
Teresa Hemingway, 30, Miami-Dade County, FL;  
Steven Henderson, 17, Baltimore, MD;  
Jim Johnson, 31, Dallas, TX;  
Monique Trotty, 22, Detroit, MI;  
Nichole Vargas, 18, Chicago, IL;  
Unidentified male, San Francisco, CA.

These names come from a report prepared by the U.S. Conference of Mayors. The report includes data from 100 U.S. cities between April 20, 1999, and March 20, 2000. The 100 cities covered range in size from Chicago, IL, which has a population of more than 2.7 million, to Bedford Heights, OH, with a population of about 11,800.

Mr. President, I yield the floor.

#### INTERNATIONAL PARENTAL KIDNAPPING AND GERMANY

Mr. DEWINE. Mr. President, I am troubled—deeply troubled. I am troubled by a report in the Washington Post that—yet again—illustrates Germany's reluctance to return American