

which has resulted in the deaths of thousands of innocent civilians and the displacement of well over 250,000 others;

Whereas the Government of the Russian Federation has refused to engage in negotiations with the Chechen resistance toward a just peace and instead has charged Chechen President Aslan Maskhadov with armed mutiny and issued a warrant for his arrest;

Whereas Russian authorities deny access to regions in and around Chechnya by the international community, including officials of the United Nations, Organization for Security Cooperation in Europe and the Council of Europe, and maintain a virtual ban on access to Chechen civilians by media and international humanitarian organizations, including the International Federation of the Red Cross;

Whereas these restrictions severely limited the ability of these organizations to ascertain the extent of the humanitarian crisis and to provide humanitarian relief;

Whereas even limited testimony and general investigation organizations credibly report widespread looting, summary executions, detentions, denial of safe passage to fleeing civilians, torture and rape committed by Russian soldiers;

Whereas there are credible reports of specific atrocities committed by Russian soldiers in Chechnya, including the rampages in Alkhan-Yurt where 17 persons were killed in December 1999 and in the Staropromyslovsky district of Grozny where 44 persons killed in December 1999; and the rapes of Chechnya prisoners in the Chernokosovo detention camp;

Whereas these credible reports indicate clear violations of international human rights standards and law that must be investigated, and those responsible must be held accountable;

Whereas United Nations High Commissioner for Human Rights Mary Robinson proposed on February 20, 2000, the prosecution of Russian military commanders for overseeing "executions, tortures, and rapes"; and

Whereas the Senate expresses its concern over the conflict and humanitarian tragedy in Chechnya, and its desire for a peaceful resolution and durable settlement to the conflict: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the Government of the Russian Federation—

(A) immediately cease its military operations in Chechnya and initiate negotiations toward a just peace with the leadership of the Chechnya Government, including President Aslan Maskhadov;

(B) allow into and around Chechnya international missions to monitor and report on the situation there and to investigate alleged atrocities and war crimes;

(C) allow international humanitarian agencies immediate full and unimpeded access to Chechen civilians, including those in refugee, detention and so called "filtration camps" or any other facility where citizens of Chechnya are detained; and

(D) investigate fully the atrocities committed in Chechnya including those alleged in Alkhan-Yurt, and Grozny, and initiate prosecutions against those officers and soldiers accused.

(2) the President of the United States of America—

(A) should promote peace negotiations between the Government of the Russian Federation and the leadership of the Chechen Government, including President Aslan Maskhadov, through third party mediation by the OSCE, United Nations or other appropriate parties;

(B) endorse the call of the United Nations High Commissioner for Human Rights for an

investigation of alleged war crimes committed by the Russian military in Chechnya; and

(C) should take tangible to demonstrate to the Government of the Russian Federation that the United States strongly condemns its brutal conduct in Chechnya and its unwillingness to find a just political solution to the conflict in Chechnya.

AMENDMENTS SUBMITTED

AFFORDABLE EDUCATION ACT OF 1999

MURRAY AMENDMENT NO. 2821

(Ordered to lie on the table.)

Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill (S. 1134) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes; as follows:

Strike title I and insert the following:

TITLE I—CLASS SIZE REDUCTION

SEC. 101. PROGRAMS.

Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

- (1) by redesignating part E as part F;
- (2) by redesignating sections 2401 and 2401 as sections 2501 and 2502, respectively; and
- (3) by inserting after part D the following:

"PART D—CLASS SIZE REDUCTION

"SEC. 2401. GRANT PROGRAM.

"(a) PURPOSE.—The purpose of this section is to reduce class size through use of fully qualified teachers.

"(b) ALLOTMENT TO STATES.—From the amount made available to carry out this part under section 2402 for a fiscal year, the Secretary—

"(1) shall make available a total of \$3,600,000 to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities carried out in accordance with this section; and

"(2) shall allot the remainder by providing to each State the same percentage of that remainder as the State received of the funds provided to States under section 307(a)(2) of the Department of Education Appropriations Act, 1999.

"(c) ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.—

"(1) ALLOCATION.—Each State that receives funds under this section shall allocate 100 percent of such funds to local educational agencies, of which—

"(A) 80 percent of such funds shall be allocated to such local educational agencies in proportion to the number of children, age 5 through 17, from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved, who reside in the school district served by such local educational agency for the most recent fiscal year for which satisfactory data are available, compared to the number of such children who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and

"(B) 20 percent of such funds shall be allocated to such local educational agencies in

accordance with the relative enrollments of children, age 5 through 17, in public and private nonprofit elementary schools and secondary schools within the areas served by such agencies.

"(2) EXCEPTION.—Notwithstanding paragraph (1) and subsection (d)(2)(B), if the award to a local educational agency under this section is less than the starting salary for a new fully qualified teacher for a school served by that agency who is certified or licensed within the State, has a baccalaureate degree, and demonstrates the general knowledge, teaching skills, and subject matter knowledge required to teach in the content areas in which the teacher teaches, that agency may use funds made available under this section to—

"(A) help pay the salary of a full- or part-time teacher hired to reduce class size, which may be done in combination with the expenditure of other Federal, State, or local funds; or

"(B) pay for activities described in subsection (d)(2)(A)(iii) that may be related to teaching in smaller classes.

"(d) USE OF FUNDS.—

"(1) MANDATORY USES.—Each local educational agency that receives funds under this section shall use such funds to carry out effective approaches to reducing class size through use of fully qualified teachers who are certified or licensed within the State, have baccalaureate degrees, and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in the content areas in which the teachers teach, to improve educational achievement for both regular and special needs children, with particular consideration given to reducing class size in the early elementary grades for which some research has shown class size reduction is most effective.

"(2) PERMISSIBLE USES.—

"(A) IN GENERAL.—Each such local educational agency may use funds made available under this section for—

"(i) recruiting (including through the use of signing bonuses, and other financial incentives), hiring, and training fully qualified regular and special education teachers (which may include hiring special education teachers to team-teach with regular teachers in classrooms that contain both children with disabilities and non-disabled children) and teachers of special needs children, who are certified or licensed within the State, have a baccalaureate degree and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in the content areas in which the teachers teach;

"(ii) testing new teachers for academic content knowledge, and to meet State certification or licensing requirements that are consistent with title II of the Higher Education Act of 1965; and

"(iii) providing professional development (which may include such activities as promoting retention and mentoring) for teachers, including special education teachers and teachers of special needs children, in order to meet the goal of ensuring that all teachers have the general knowledge, teaching skills, and subject matter knowledge necessary to teach effectively in the content areas in which the teachers teach, consistent with title II of the Higher Education Act of 1965.

"(B) LIMITATION ON TESTING AND PROFESSIONAL DEVELOPMENT.—

"(i) IN GENERAL.—Except as provided in clause (ii), a local educational agency may use not more than a total of 25 percent of the funds received by the agency under this section for activities described in clauses (ii) and (iii) of subparagraph (A).

"(ii) WAIVERS.—A local educational agency may apply to the State educational agency

for a waiver that would permit the agency to use more than 25 percent of the funds the agency receives under this section for activities described in subparagraph (A)(iii) for the purpose of helping teachers who have not met applicable State and local certification or licensing requirements become certified or licensed if—

“(I) the agency is in an Ed-Flex Partnership State under the Education Flexibility Partnership Act of 1999; and

“(II) 10 percent or more of teachers in elementary schools served by the agency have not met the certification or licensing requirements, or such requirements have been waived for 10 percent or more of the teachers.

“(iii) USE OF FUNDS UNDER WAIVER.—If the State educational agency approves the local educational agency's application for a waiver under clause (ii), the local educational agency may use the funds subject to the conditions of the waiver for activities described in subparagraph (A)(iii) that are needed to ensure that at least 90 percent of the teachers in the elementary schools are certified or licensed within the State.

“(C) USE OF FUNDS BY AGENCIES THAT HAVE REDUCED CLASS SIZE.—Notwithstanding subparagraph (B), a local educational agency that has already reduced class size in the early elementary grades to 18 or fewer children (or has already reduced class size to a State or local class size reduction goal that was in effect on the day before the date of enactment of the Department of Education Appropriations Act, 2000, if that goal is 20 or fewer children) may use funds received under this section—

“(i) to make further class size reductions in kindergarten through third grade;

“(ii) to reduce class size in other grades; or

“(iii) to carry out activities to improve teacher quality, including professional development.

“(D) PROFESSIONAL DEVELOPMENT BY AGENCIES THAT HAVE REDUCED CLASS SIZE.—If a local educational agency has already reduced class size in the early elementary grades to 18 or fewer children and intends to use funds provided under this section to carry out activities to improve teacher quality, including professional development activities, the State shall make the funds available under subsection (c) to the local educational agency.

“(3) SUPPLEMENT, NOT SUPPLANT.—Each such agency shall use funds made available under this section only to supplement, and not to supplant, State and local funds expended for activities described in this section.

“(4) LIMITATION ON USE FOR SALARIES AND BENEFITS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), no funds made available under this section may be used to increase the salaries or provide benefits, other than participation in professional development and enrichment programs, for teachers who are not hired under this section.

“(B) EXCEPTION.—Funds made available under this section may be used to pay the salaries of teachers hired under section 307 of the Department of Education Appropriations Act, 1999.

“(e) REPORTS.—

“(1) STATE ACTIVITIES.—Each State receiving funds under this section shall prepare and submit to the Secretary a biennial report on activities carried out in the State under this section that provides the information described in section 6202(a)(2) with respect to the activities.

“(2) PROGRESS CONCERNING CLASS SIZE AND QUALIFIED TEACHERS.—Each State and local educational agency receiving funds under

this section shall publicly report to parents on—

“(A) the agency's progress in reducing class size, and increasing the percentage of classes in core academic areas taught by fully qualified teachers who are certified or licensed within the State, have baccalaureate degrees, and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in the content areas in which the teachers teach; and

“(B) the impact that hiring additional fully qualified teachers and reducing class size, has had, if any, on increasing student academic achievement.

“(3) PROFESSIONAL QUALIFICATIONS.—Each school receiving funds under this section shall provide to parents, upon request, information about the professional qualifications of their child's teacher.

“(f) PRIVATE SCHOOLS.—If a local educational agency uses funds made available under this section for professional development activities, the agency shall ensure the equitable participation of private nonprofit elementary schools and secondary schools in such activities in accordance with section 6402. Section 6402 shall not apply to other activities carried out under this section.

“(g) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative costs.

“(h) REQUEST FOR FUNDS.—Each local educational agency that desires to receive funds under this section shall include in the application required under section 2208 a description of the agency's program to reduce class size by hiring additional fully qualified teachers.

“(i) CERTIFICATION, LICENSING, AND COMPETENCY.—No funds made available under this section may be used to pay the salary of any teacher hired with funds made available under section 307 of the Department of Education Appropriations Act, 1999, unless, by the start of the 2000-2001 school year, the teacher is certified or licensed within the State and demonstrates competency in the content areas in which the teacher teaches.

“(j) DEFINITION.—In this section, the term ‘certified’ includes certification through State or local alternative routes.

“SEC. 2402. AUTHORIZATION OF APPROPRIATIONS.

“(a) FISCAL YEAR 2001.—There is authorized to be appropriated to carry out this part \$1,200,000,000 for fiscal year 2001.

“(b) OTHER FISCAL YEARS.—There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal years 2002 through 2005.”.

NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT AMENDMENTS OF 1999

CAMPBELL AMENDMENT NO. 2822

(Ordered to lie on the table.)

Mr. CAMPBELL submitted an amendment intended to be proposed by him to the bill (S. 400) to provide technical corrections to the Native American Housing Assistance and Self-Determination Act of 1996, to improve the delivery of housing assistance to Indian tribes in a manner that recognizes the right of tribal self-governance, and for other purposes; as follows:

On page 19, strike lines 2 through 10 and insert the following:

Section 104(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4114(b)) is amended—

(1) by striking “Davis-Bacon Act (40 U.S.C. 276a-276a-5)” and inserting “Act of March 3, 1931 (commonly known as the ‘Davis-Bacon Act’) (46 Stat. 1494, chapter 411; 40 U.S.C. 276a et seq.)”; and

(2) by adding at the end the following:

“(3) APPLICATION OF TRIBAL LAWS.—Paragraph (1) shall not apply to any contract or agreement for assistance, sale, or lease pursuant to this Act, if such contract or agreement is otherwise covered by 1 or more laws or regulations adopted by an Indian tribe that requires the payment of not less than prevailing wages, as determined by the Indian tribe.”.

NOTICE OF HEARING

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources. The purpose of this hearing is to receive testimony on S. 972, a bill to amend the Wild and Scenic Rivers Act to improve the administration of the Lamprey River in the State of New Hampshire; S. 1705, a bill to direct the Secretary of the Interior to enter into land exchanges to acquire from the private owner and to convey to the State of Idaho approximately 1,240 acres of land near the City of Rocks National Reserve, Idaho, and for other purposes; S. 1727, a bill to authorize funding for the expansion annex of the historic Palace of the Governors, a public history museum located, and relating to the history of Hispanic and Native American culture, in the Southwest and for other purposes; S. 1849, a bill to designate segments and tributaries of White Clay Creek, Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; and S. 1910, a bill to amend the Act establishing Women's Rights National Historical Park to permit the Secretary of the Interior to acquire title in fee simple to the Hunt House located in Waterloo, New York.

The hearing will take place on Wednesday, March 8 at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Jim O'Toole or Kevin Clark of the Committee staff at (202) 224-6969.