



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147

WASHINGTON, MONDAY, APRIL 23, 2001

No. 51

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, April 24, 2001, at 2 p.m.

Senate

MONDAY, APRIL 23, 2001

The Senate met at 12 noon and was called to order by the Presiding Officer, the Honorable JUDD GREGG, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Yaweh our Adonai, how excellent is Your name in all the Earth. Today, as we return from recess and at the beginning of Jewish Heritage Week, we praise You for the immense contribution Jews have made to America. We remember the first Jewish community in Newport, Rhode Island comprised of Sephardim, persecuted Spanish and Portugese Jews who arrived in the spring of 1658. This group of refugees began to worship together in private homes or rented buildings until a synagogue building, the Touro Hebrew Congregation, was constructed. On the wall of this synagogue is a letter from George Washington expressing his belief in religious freedom as the standard for civil liberty: "To bigotry give no sanction, to persecution no assistance." We also echo the words of Roger Williams, the founder of Rhode Island: "All men may walk as their consciences persuade them, everyone in the name of his God."

On this day we thank You for the ten Jewish Senators and their strong moral and social consciences. May Your shalom rest upon us all. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HARRY REID, a Senator from the State of Nevada, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 23, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JUDD GREGG, a Senator from the State of New Hampshire, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. GREGG thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m. with Senators permitted to speak therein for up to 5 minutes each.

Under the previous order, the time until 1 p.m. shall be under the control of the Senator from Illinois, Mr. DURBIN, or his designee.

The Senator from Nevada.

BROWNFIELDS

Mr. REID. Mr. President, I rise today to discuss an important piece of legislation that I believe we should be working on today, certainly tomorrow. This legislation, the bipartisan brownfields bill, S. 350, was reported from the Environment and Public Works Committee on February 27 by a vote of 15-3. This legislation now has 66 cosponsors. It is ready for floor action and has been for more than a month. There were a couple of people in committee who voiced concerns about specific bill language, particularly Senator VOINOVICH. I indicated at that time that we would work with him prior to the bill being ready for floor action to satisfy any problems he might have, and we did that. We worked with him, and I think Senator VOINOVICH is satisfied. Actually we worked day and night to reconcile these differences.

The bill is very important. The bill would produce almost 600,000 jobs around our country. It would increase annual tax revenues up to \$2.4 billion. This is important environmental legislation. We need to move forward immediately. There has been a lot of controversy over what President Bush has done and what he has not done, but the one thing that he campaigned on was this legislation. He campaigned on the importance of this legislation. This is a

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S3773

bill the administration endorses. This is a bill the Clinton administration endorsed. This is legislation that we should move forward. I see no reason we cannot. We are ready on this side to move forward. We hope that our friends on the other side of the aisle are ready to move forward. We have worked on this legislation for years. It is just not in the best interests of this country not to move forward. We have to move forward. This bill is truly a compromise. It is a consensus. I think its passage would indicate the true nature of this Senate. We are split 50-50, and this legislation, certainly with 66 cosponsors, indicates our ability to reach across the aisle both ways. When we entered into this historic power sharing agreement this year, we indicated that we had a thoughtful, bipartisan Senate. I think it indicates the bipartisan nature of this bill. There is no need to wait any longer. We have a half million contaminated abandoned sites in the United States that are waiting to be cleaned up to become thriving parts of our communities. Some of these sites would take only a few dollars to clean up.

For example, Mr. President, in Las Vegas, where we have the old National Guard armory, \$50,000 in brownfields money cleaned that up and produced a site that is now really a thriving economic entity within the State of Nevada. It is creating jobs. There is now a tax base that will help support the people of Las Vegas and the State of Nevada.

I do not want to be partisan today and I will not be partisan today, but as the days go on I am going to have to be more direct as to what the problem is in holding up this legislation. As I said, we are clear on this side. It is not right to hold up this bill. And I also say that this legislation has the support of the Senate. If we do not move this bill forward—and I think we could finish in just a few hours—in the regular course, I am going to be obligated to attach this bill to other legislation that moves through this body.

I repeat, with 600,000 jobs, 500,000 abandoned sites, increasing annual tax revenues up to \$2.4 billion, this is a bill that is good for the environment. It is good for jobs. We should not delay its consideration any longer. It is supported by the last administration, supposedly by this administration, and I hope the leadership in the Senate, the majority leader, will allow this matter to be brought before the Senate.

This legislation has been worked on very closely by Senators VOINOVICH, INHOFE, BOND, and CRAPO, as well as Senators CLINTON, BOXER, CORZINE, and GRAHAM to accommodate all their interests. Senator SMITH and I have worked hard to have this bill reported out of committee. I hope we can have action on the Senate floor at an early date—maybe this afternoon, maybe tomorrow. But I think we should move forward quickly.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. FEINSTEIN). Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

VISIT TO THE SENATE BY MEMBERS OF THE DUKE UNIVERSITY MEN'S NCAA CHAMPIONSHIP BASKETBALL TEAM

Mr. HELMS. Madam President, pursuant to the permission given me by the majority leader, and with the agreement of the minority leader, it is my honor to have invited the Duke University basketball team, the NCAA champions of this year, along with the wives of those who have wives, and the coaches and their wives, to come to the Senate floor.

RECESS

Mr. HELMS. Madam President, I ask unanimous consent that the Senate stand in recess for no more than 12 minutes.

There being no objection, the Senate, at 1:04, recessed until 1:16 p.m., and reassembled when called to order by the Presiding Officer (Mrs. FEINSTEIN).

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

EDUCATION

Mr. GREGG. Madam President, I wish to speak in morning business on the issue of education, which the Senate will take up over the next few weeks. There has been a considerable amount of discussion on this issue within the Senate membership but even more discussion within the populace in general. The President ran for election on the issue of education and how he intended to address that issue. In fact, he considered this to be the primary issue before us as a nation—the fact that he wants an educational system which leaves no child behind.

This is a goal that is laudable and which all of us should pursue. So the matter is now coming to the Senate. We have in the committee on which I serve—the Health, Education, Labor, and Pensions Committee—been able to produce a bill which came out of committee 20-0, a bipartisan bill, to try to move the issue of education along in a positive way—the Federal policy on education.

There is still much to do and, therefore, as we in this body take up the debate on the education policy during this week, there will be a considerable discussion of points that were left out of the bill as it came out of committee.

I think it is important to note, as we address the issue of education, that the Federal role in education is narrow. Most elementary and secondary education issues are addressed at the local level.

Madam President, the Duke University basketball team is a group of young men who reflect the type of athletes, sportsmen, and good citizens to which citizens of this Nation should strive. I congratulate the leadership of Duke University for producing a basketball program that excels not only in athletic ability but as a role model for our youth and our Nation.

It is very appropriate that before an education speech we should have the opportunity to meet these fine young men who set such a good example for kids across America.

The majority of funds that are spent on education are controlled at the local level. Approximately 93 percent of the funding for elementary and secondary school education comes from the local school districts or the States.

The Federal role in elementary and secondary school education is really quite narrow and is focused on two basic themes: One, making sure, for kids with special needs, special ed programs are funded; and two, making sure that children who come from low-income families have an equal opportunity to succeed as children who come from families who are better off.

For the last 25 years, we have pursued both these goals: special education and the education of low-income children. Unfortunately, both of these Federal programs have fairly significant flaws.

In the special education area, the Federal Government has failed to live up to the obligation of funding the full share of special education. Originally, the Federal Government said it would pick up 40 percent of the cost of special education. Unfortunately, as of 4 years ago, the Federal Government was only picking up 6 percent of the cost.

Due to a concerted effort by myself, quite honestly, and a number of others on our side of the aisle, the majority leader, chairman of the Appropriations subcommittee, Chairman SPECTER, and chairman of the Health, Education, Labor, and Pensions Committee, Chairman JEFFORDS, we took on the issue of funding special education. We have dramatically increased funding—2½ times. We are now up to funding, if we accept the President's budget, almost 20 percent of the needs of special education. In fact, President Bush has proposed the single largest increase in special education funding ever proposed by a President in the history of this country. At least we are trying to address that issue.

The bill that will come to the floor later this week addresses the needs of kids from lower income families. In this area, regrettably, although the Federal Government has chosen to step on the ground in its responsibility, it has done a poor job of pursuing this responsibility.