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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable GEORGE ALLEN, a Senator from the Commonwealth of Virginia.

PRAYER

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

Holy God, before Whom we dare not swagger in self-sufficiency, we humbly confess our need for You. We don't have all the answers; we are not always right; and we are not perfect in our judgments of people or what is best. We turn to You for wisdom, penetrating insight, and precise analysis. Bless the Senators to know that You give the day and You provide the way. Thank You for their deep desire to know what is right and do it, to discern Your best for America, and to pledge their lives, their fortunes, and their sacred honor to achieve it. We join with the psalmist, claiming Your promise: ''The humble You guide in justice and the humble You teach Your way.''—Based on Psalm 25:9. May our fresh praise for Your blessings be the antidote to any false pride. You alone are the source, security, peace, and hope because You alone are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable GEORGE ALLEN 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 2, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable GEORGE ALLEN, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. ALLEN 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.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

SCHEDULE

Mr. THOMAS. Mr. President, today the Senate will resume the remaining hours of the postcloture debate on the motion to proceed on the education bill.

CHARGING OF TIME

I now ask unanimous consent that the time until 10:30 a.m. be equally divided in the usual form and that it be charged accordingly under rule XXII.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. THOMAS. The Senate is expected to begin full consideration of the bill during today's session. Therefore, amendments will be offered, and votes on the amendments are expected. Members will be notified as the votes are scheduled. Senators are encouraged to work with the bill managers if they intend to offer amendments to the bill.

I thank my colleagues for their attention.

BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume postcloture consideration of the motion to proceed to S. 1.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I would like to have the opportunity to discuss the education bill for 10 minutes, please.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming is so recognized for 10 minutes.

Mr. THOMAS. Mr. President, we come to the floor again today to consider education. I think, unfortunately, we are still talking about the postcloture motion and have not yet had the opportunity actually to move to the bill. We are hopeful there will be some decisions made in the next hour, hour and a half, so that we can come to the bill.

Clearly, there will be differences of our views with respect to this legislation. That is not a new idea. But we need to get on with it. We need to come to this Chamber and begin to make our arguments and, where there are differences of opinion, have amendments and move forward with them.

I think most people agree that one of the major issues before us is education. Certainly there are different views as to what the role of the Federal Government is with regard to elementary and secondary education. There are different views as to how much involvement the Federal Government ought to have with respect to financing elementary and secondary education.

I think most of us believe that is a primary function of the State and local governments, and has been traditionally over time, and I believe for good reason. No. 1, we want the control largely to remain there; indeed, it should remain there.

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

With respect to money, even though, obviously, it is very important, money is not the only salvation for education. There needs to be policy changes. There needs to be more accountability, measurement of progress. Money alone—and we talked about this when I was in the Wyoming legislature—we know that money alone is not the only salvation, that there need to also be these other principles. But without money, of course, those things cannot be accomplished.

Since 1994, when the Republicans took over Congress as the majority, there has been a 50-percent increase in funding for education. We will hear about how the Republicans are reluctant to fund education properly. The fact is, this Republican Congress has funded it at a much higher rate than was done previously by the Democrats or, indeed, even suggested under the Clinton administration. It still is an issue, but the idea that Republicans have not been generous with money is just simply not factual.

There are other issues, however, that are really key to what we want to do with S. 1. First, it is symbolic that it is S. 1. That indicates that as we came into this Congress, education was our highest priority. So there we are.

There are a number of things that are very important. One is accountability. Title I of this bill indicates that when schools fail to adequately have progress, they will receive technical assistance from the Federal Government. In order to make sure there is progress, of course, there has to be some testing.

Clearly, there are different views about testing: Whether it ought to be mandated, whether it ought to be done only by the State's decision. I happen to believe the States ought to be the ones to decide how it is done. But there needs to be testing if you are going to have Federal funding. If you are going to have the kind of mobility we have where young people are going to school in Utah and end up working in New York, there needs to be some measure of whether or not those educational opportunities are going to be similar so that you can deal with the mobility we all have.

So under this title, there would be technical assistance available for schools where the progress was not up to the average and certainly not making advancement. If the school failed to have adequate progress in the second year, it would be placed in another category of corrective action. Students in that school then would begin to be able to transfer to other public schools.

This is one of the things where you measure performance and then give some kind of relief when, in fact, performance is not being exhibited. This does not, at the present time, include the private school options. Some argue, of course, that there ought to be vouchers for private schools. Again, there is a very legitimate difference of view as to that issue. I am sure it will be discussed at some point during the consideration of this bill.

Accountability: Schools in a corrective action category that fail to make progress over 3 years would be required to do something different—to change staff, to close the school, to do something that would show that progress needs to be made.

We mentioned public school choice. That is there. We happen to have some experience in my hometown of Casper, WY, where they have started a number of charter schools. Casper, by the way, is not a big city—about 50,000 people. It is our second largest city in Wyoming. They have charter schools so there are some choices within the public school system so that parents can participate. In this bill there are opportunities for assistance in transportation for students of that kind and also some opportunities for low production schools for people to be able to use some of the Federal money for that.

The key to education, most everyone would agree, is teachers, quality teachers. We have excellent teachers generally, and teachers try very hard to do their things. I admire teachers very much, particularly since my wife is one in a public high school. On the other hand, we are going to find a time soon when there will be lots of teachers retiring and running into that, whatever profession it is, whether it is nurses or teachers. We are going to need a great number of new teachers, and there needs to be incentives for teachers to be trained. There needs to be some opportunities for teachers to have continuing education certainly and to do some things, to do some things particularly in specifics. If they are teaching math, if they are teaching science, there ought to be people who have really good backgrounds in that.

The technology, of course, is one of the things for which we will be searching—opportunities to do that.

Here we are, talking about accountability. We are talking about improving teaching opportunities, improving the skills of teachers so they can be, indeed, more effective in the teaching they do.

One of the areas, of course, is going to be flexibility. This is always a controversial thing with Federal money. With Federal money, do there have to be regulations that go with it to use it this way or the highway? No, it doesn't need to be that way. It can be much more flexible. I suppose in many things, but in education there is such a difference between the needs in small towns of Wyoming or Utah as opposed to downtown New York or Philadelphia. In many of the schools, that is one of the controversies we have had over time. With Federal money, according to the last administration, you had to use it for smaller class size. That is the only thing you can use it for, or you use it for construction of school buildings, and that is all you can use it for. Both of those, of course, are very important issues, but in different school districts those things are quite different.

I can take you to some schools in Wyoming where class size is not the issue. I went to a one-room school in Wapiti, WY. Class size wasn't the problem. Other things—technology, for example, access to the Internet, doing the kinds of technological things that may be in a particular school—are much more important. So this idea is to have some flexibility and to allow local school districts and the States to have, of course, the decisionmaking, along with the accountability. We can't just expect to send taxpayers' money out from the Federal level and say: Do whatever you want; we don't care what happens to it. That is not the point. The point is, use it for what you want with some accountability.

Other provisions: Of course, there are going to be reading initiatives. Most of us do believe that the ability to read, and read early, is certainly the first prerequisite to becoming successful in education. Bilingual education, of course, is one of the real keys to many of the students who have difficulty in meeting standards, and so is literacy in English. So there are going to be a number of these things.

School safety: Obviously, we have had lots of bad experiences in the last several years in terms of school safety. The Columbine incident sort of remolded our ideas about what we do there in terms of drug prevention and in terms of other kinds of safety. That will also be dealt with in this bill. So there are just really lots of things that are very helpful and things on which we need to move forward.

I am afraid we are going to find ourselves, before this week is over, dealing with the budget. I believe there is going to be some agreement there. So we continue to put off this very important issue, and we need to move forward with it.

I mentioned the expenditures. I wish I had some of those charts here. It is really interesting, as you look at a chart on expenditures versus reading scores that we have now, that expenditures go up fairly dramatically, up to about an $8,500 per pupil expenditure in this country. But 12th grade reading, 8th grade reading, 4th grade reading stay very constant and, indeed, edge down a little bit in the 4th grade category.

So again, as we said, money is not the only element. Indeed, it may not be the most important element in terms of turning around where we are with respect to making improvements in our educational direction.

So these are the things we have talked about; these are the things that are before us. I don't find it particularly new that we have different views on how to do this. That is what this Senate is all about—to bring together different views, to bring together different representations of the needs of our individual constituencies, and yet to blend them in with the overall need

for the national values of education and what our role is in causing those things to be even better.

This morning we will be talking in fairly general terms about the generalities that are in this bill, which has received a great deal of attention and effort. It is a good one. It is generally supported, of course, by the administration, by the President who, by the way, had education as his No. 1 issue in his campaign. I have been very proud of the President, as a matter of fact, as someone who went out and talked about issues, put priorities on issues in his campaign, laid them before the people before the election, and now is committed to doing things he said he was going to do. That is as it should be.

I hope we are able to move forward and have an opportunity to debate these things and come to a favorable conclusion.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

Mr. THOMAS. Mr. President, I ask unanimous consent that following the Senator from Washington, the Senator from Idaho be able to speak.

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

Mrs. MURRAY. Mr. President, as the Senate gets ready to update our Nation's Federal education policy, I want to talk this morning about the importance of the education debate, some of the issues that we all agree on, the principles that guide my decision, and a few concerns I have as we look at this bill coming before us.

Since 1965, the Elementary and Secondary Education Act has defined how the Federal Government helps students across the country. In America, we believe that no matter where you are born, no matter who you are or where you come from, and no matter whether your parents are rich or poor, every child deserves an equal chance to succeed.

This law, the ESEA, puts that principle into practice. Forty years ago, many students did not get the help that they needed. Many lived in poor or rural areas that didn't have the tax base to support them. Many were discriminated against and many were left behind because they had special needs.

In 1965, Congress passed the historic Elementary and Secondary Education Act to fix those problems, providing a safety net for disadvantaged students, a stepping stone to help all students succeed, and a way to help us meet our education goals.

During the Cold War, ESEA helped us focus on building skills in math and science. Today, with our high-tech economy, ESEA is helping students learn to use technology. As we update this law, we are not just changing letters on a page; we are changing the law that helps make our schools more equal, more fair, and more successful for students across the country. I take this responsibility very seriously.

The Senate may only debate education for a few weeks, but what we decide will be felt in classrooms across the country for a decade or more. So let's make sure we do this right.

As we begin this debate, there are some things about which all of us agree. We all agree that we want every child to reach his or her full potential. We all agree that taxpayer dollars should be used for efforts that we know work. We all agree that we can make a difference at the Federal level with what we do. Otherwise, this debate would not be so heated. We know that Federal support is an important part of every child's education.

Finally, we all want to be proud of America's schools. Today, there is a lot to be proud of. Every day, we hear stories about the progress kids are making. Every day, we talk to leaders who were inspired by teachers in our public schools—teachers who helped them succeed. I know I would not be here today without great public school teachers.

The truth is, we have made a lot of progress as a country in improving education. This is an opportunity to build on that progress. I have been in classrooms where teachers are excited and where the kids' eyes are bright and their minds are eager to learn.

In Washington State, our teachers, parents, educators, and businesses have put together annual assessments that are changing the way we think about education and expanding our possibilities. We are working on this bill because we know that States and local school districts want a Federal partner, and we are excited because we know that being a responsible partner can help make sure great things happen in every school.

Because we will be talking about a lot of different issues, I want to outline some of the principles I have developed to make sure we are doing what is right for our students.

First of all, we have to invest in the methods we know work. I have been saying this for years. It is critical as we update our Nation's education policy.

Second, we have to protect disadvantaged students and make sure they get the extra help and support they need.

Third, we have to make sure that public taxpayer dollars stay in public schools.

Fourth, we have to help meet the national education goals we are committed to, whether it is making sure that every child can read, making sure every child gets the skills they need for tomorrow's workforce, or making sure every child attends a school where they are safe.

Finally, we have to set high standards and provide the resources so all students can meet them.

Those are my five principles as we begin this debate on education policy.

Next, I want to outline some of the concerns I have at the start of this debate. First of all, so far, I do not see a commitment from this administration to provide the resources so all students can reach high standards. We can't just tell students they have to meet certain goals without giving them the support they need to get there. Just telling students they have to pass a test or their school will be reconstituted won't help a single student to learn to read or write.

So far, this administration has been very vocal about saying it will punish schools that don't improve. But it has been way too quiet on how they will provide the resources so students can improve. Imposing tests and punishments without resources will not help students to learn. It will just punish them.

I have a second concern, and this is about the President's testing plan. As we all know there is a lot of discussion about testing and whether or not it works. That is a debate we ought to have and I expect we will. But one thing is clear: We cannot require States to conduct these expensive tests on a yearly basis without also giving the States the resources to do what we are requiring.

As a former school board member and a State senator, I can tell you what will happen. President Bush will send an unfunded mandate to the States requiring them to test students every year. The States and the districts and the schools will have to take money—some estimate the cost at $7 billion—away from things such as hiring teachers and developing curriculums to pay for the tests. That is going to end up hurting students.

If President Bush doesn't pay for the tests he is imposing, students will get hurt. I know a lot of my friends on the Republican side are very concerned about unfunded mandates from the Federal government to the States, so I hope they will follow through by ensuring that we fund the tests that we are demanding.

There is another important question related to these new Federal tests. How are we going to use the results of these tests? If we use test results to punish, we are not helping students. We should use those test results for what they are—a tool—to show us what areas need improvement. And we cannot stop there. We need to invest in the areas that need improvement. That is the right way to use tests: to make schools better and to allow students to learn.

Finally, as I look at this proposed bill, I see gaping holes. The bill leaves out dedicated funding for class size reduction, for school construction, for teacher recruitment, and for school libraries. We know these efforts have made a very positive difference for students across this country.

Amendments are going to be offered, as we work our way through this bill,

to make sure it funds those important efforts. I plan to introduce one myself on class size. I look forward to supporting a number of the others.

So as the Senate gets ready to begin this very important debate, I hope we will all remember that what we do here will have a real impact on students for years to come. We have an opportunity to bring success to every student across the country, to support the efforts that are working, and to continue our role as an important partner in educational excellence.

Students, parents, and teachers are looking for support and for leadership, and I am going to do everything I can to make sure we provide it.

I yield the floor and suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Idaho.

Mr. CRAIG. Mr. President, as you know and certainly now as our country knows, for this week and until we have concluded, we are focused on the reauthorization of the Elementary and Secondary Education Act and the important role it plays in the future education of our young people.

By overwhelming majorities, Americans have said time and again that they want education in this Nation improved. We cannot improve education by merely throwing money at the problem. We have tried that for a long time. Yet the performance of our young people against the performance of other young people around the world simply does not rate as it should.

Our educational system does not need money alone, and that is why we have spent the last several years looking at the concepts that fall together to create a dynamic education program of the kind that is so important for the future of our country and our country's young people.

Increased funding alone, as I have mentioned, will not help. Do we need money? Of course we do, and with this bill, there is a substantial amount of more money authorized. What we really need to look at is the tremendous bureaucracy of education that has grown up over the years in the public systems in our country and does that, in fact, function in the dynamic ways that are necessary to stay on the edge of educating in a contemporary society. At the same time, we need to deal with all young people and all levels of learning that are so necessary to have a thorough and responsible system.

Our President has said time and again over the course of the last year that he wants to leave no child behind. Neither do we. The combination of our work, with the leadership of this new President, I believe, can accomplish what Americans have been asking for a long time.

We have underperforming schools, and when we have underperforming schools we have children who have not been provided the opportunity to advance as rapidly as they are capable of doing.

Clearly, if schools are underperforming, then children are underperforming. And if they are not able to compete, then the likelihood is they run the risk of underperforming for the remainder of their lives.

With the reauthorization of this act and its modernization, we are creating levels of accountability that can become the cornerstone of the advancement of the quality of education in our country, the kind of accountability that will bring constant reform to the educational system.

Key to accountability is the commonsense notion that we should not allow Federal dollars to follow failure, but clearly we have. If we used the concept that the current system needed more money and the current system, in some instances, is failing, that is exactly what has been going on. We were financing failure without any level of measurement that would determine what that failure was and how it could be replaced.

Accountability is, without question, going to be the greatest key factor in what we do with the reauthorization and the modernization of this act: accountability in the schools and allowing the parents an element of measurement, working to improve those schools that are underperformers, but at some point if the system does not respond, giving the parents the flexibility to move that child elsewhere. Empowering parents and children in the educational system will, by its very character, push it toward reform.

It is that kind of dynamic we must demand of our public education system in this country. To strengthen, to assure that a free society always has access to a public learning system has been the strength of our country historically and can continue to be our strength. As we work in this area of education and work to reauthorize this legislation, that is clearly part of the goal toward passage of this act.

I am pleased to be a part of it. I will come back to the Chamber over the course of the next several weeks as we debate this issue to participate with my colleagues in explaining to the American people what we are attempting to do, what role the Federal Government can play with the States and local communities.

I and others believe that the bulk of the educational responsibility does reside with the State and the local communities. The funding, the tax base, the local school districts, the parents—that is where the greatest responsibility lies. With help, we set standards that are flexible, that fit States, that States can participate in, so it is not one Federal-size-fits-all, but there are levels of measurement, and most assuredly there are levels of acceptance.

How do you determine an underperforming school? Clearly, that is determined by the child in that school who isn't performing at the required level.

All of these are components of what we work to accomplish in the reauthorization of this most important public law for our country. I am pleased to be part of it, involved with it, to work with my colleagues who spend most of their time in this area and understand it a great deal better than I. I am pleased the Senate is now focused on what really is one of the most important issues we will deal with this year. I am proud to have a President who has made education a priority and who has said and now is backing up not only in words but actions that in his tenure as President of our country no child will be left behind.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ENSIGN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THOMAS. Mr. President, we had an hour of postcloture debate. That time has expired. I ask unanimous consent that the next hour be equally divided and the time be counted under the provision of rule XXII.

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

Mr. THOMAS. Mr. President, there are efforts being made to come to some agreement to bring to the floor. I thank the Chair. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BURNS. Mr. President, we opened up the debate on education. And, of course, they tell us that we have an agreement in principle. So at this point, for all who believe that it is good for kids, let's go on and do it. We are hearing a lot of words with regard to policy and money, and basically money will not be a part of this debate and should not be a part of this debate. There is a good reason for that.

We hear stories—some of them are not too good—about the condition of some of our schools. There is no doubt about it; we see some schools in very poor condition.

I represent the State of Montana. Some of its schools are on our Indian reservations, and some of our Native Americans are under crowded conditions. In fact, there are a couple of schools that we are going to replace to

help them get into new facilities next year; now young people are going to class in the janitor's closet.

Then we like to compare the good old days of our education. Sometimes I hear it said, in fact, that it is a wonder we as a nation have accomplished what we have because of our educational system. I don't want to talk about that. We should be talking about the successes of our system and the successes of yesteryear in education.

I went to a rural school. It was a country school with one room. I think it ranged in size anywhere from 18 to 25 or 26 kids. The eighth graders taught the first graders how to read. We only had one teacher.

All of us could tell stories like that about our life as a young person in a rural setting. We could talk about that. We could also say how we graduated from a smaller high school. There were only 29 students in my graduating class. We could talk about all the things we missed in our education, but we don't. We like to talk about our accomplishments.

When we hear the debate in this Chamber, do we, as policymakers, have all of the answers to the challenges of public education and what it faces today? No, I do not think we do. We might think we do. We need to face the fact that we now come to a subject where success will be based on how we make choices. That is the basis for the debate.

The Founding Fathers of this country placed a high priority on public education. They did it for a simple reason. We cannot be a free society and understand the Constitution unless we do it with educated minds.

It is remarkable when you look at the documentation of the two great wars fought on this continent, in our country. If you look at the Revolutionary War, very small snippets of history are found in our history books because most of the people who participated in the Revolutionary War at ground level were illiterate. They could not read and they could not write.

Then almost 100 years later—not quite, about 90—we had the Civil War, of which we find documentation and letters that soldiers wrote home to their folks and to their loved ones, to their mothers and to their brothers and sisters, to their families and their friends. From those letters we piece together a complete history of the Civil War of this country. The Founding Fathers said that public education is a must. We have to have a high degree of literacy in this country if we are to maintain a free and responsible society.

Ever since those days, we have seen strong public support for public education. In fact, there has been overall support for a strong public school system throughout my life—until, I would say, maybe the last 10 years.

What happened along the way? And I say the only way we make a good, sound argument is when we relate to how things are in our own neighborhood. There was a time when you could pass a school bond, and it was nothing to it. If you needed more money for buildings—brick and mortar—if you needed more teachers, if you needed more money to run the school, a school bond was fairly easy to pass because everybody supported the local schools and what they were doing.

I look at my own neighborhood and the support of the teachers and the schools. It is still there. But there is something missing because we have now experienced a history over the last few years of school bonds going down, voted down, to where it takes a real effort—a real public relations effort—to pass just an ordinary school bond.

There is a given in this debate: Anytime education comes before this body, it is sure to attract a great deal of attention. I do not know of a soul in the public sector or in this Chamber who does not have an opinion on education, and they will readily give it to you.

I have also found some other things to be true. Everybody knows how to run a school. That is another given. But I also have found that very few look at the record and can think their way through the idea that we have arrived at a time in the history of the evolution of public education and realize that systemic reform is now needed.

I am no different than most in this body. One could say: My schooling was sufficient for me; therefore, it would be good enough for our children. But we know that is not true. If we did that, then we would be stuck in low gear.

We have to look at this. Again, we should not be talking money. We should be talking accountability. If we are to have great support for public education, we have to have accountability. Everybody understands that.

Accountability means testing. It means the product that you are producing has to be a good one. Testing is the only way to do that. You can have a big argument about who is going to give the test and all that. I still say it should be left to the States. Testing also gives us, and public educators, the information needed to develop the sound support that public education should have.

We should be supporting the programs that work, reduce the bureaucracy, and give increased flexibility to those who run our schools.

I leave you with a closing thought. Money is not the answer. You will see many charts throughout the debate. As this chart shows, we have increased spending in education drastically. Look at the blue line on the chart. It goes right on up. That shows how we have increased spending on education. But look where the achievement line is on the chart. Have we improved reading and math? No. So money is not the answer. Systemic reform is what is needed.

I am looking forward to the debate. But I think we have to use some common sense because what we need to do now is restore the accountability in and the support for our public education system because it is the cornerstone of this free society.

Do not test the young people for reading. Do not test them for math. Test them on history because, I will tell you, that is where the seed of freedom remains in a society to be perpetuated for future generations.

Mr. President, in accordance with rule XXII, I ask unanimous consent that the remaining time under my control be yielded to the Senator from Texas, Mrs. HUTCHISON.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Hampshire.

Mr. GREGG. I ask the Senator from Texas to yield me such time as I may consume.

Mrs. HUTCHISON. Mr. President, I yield the remainder of the time on the Republican side to the Senator from New Hampshire.

The PRESIDING OFFICER. Twelve and a half minutes is yielded to the Senator from New Hampshire.

Mr. GREGG. I thank the Senator from Texas.

I congratulate the Senator from Montana for his excellent statement on how we should approach educational reform—especially on his emphasis for the need for reform, not the need to put more dollars into education to follow dollars that have already failed in helping our children receive a good education.

I want to continue this discussion on education which was started so effectively by the Senator from Montana. I want to review very quickly where we are.

The President of the United States has made education his No. 1 priority. The Senate has aggressively pursued trying to address the issues which the President has raised. Specifically, we have tried to adjust, with the bill that is before us today, the role of the Federal Government in education.

The Federal Government has traditionally taken small parts of education and focused on them—whether it is the needs of special students or, in the case of this bill, the needs of students who come from lower income families. We have, as was pointed out so effectively by the Senator from Montana, not been very successful in our goal.

Our goal was to increase the educational capacity and achievement of kids from low-income families. We have spent $120 billion trying to do that, and in fact during the decade of the 1990s we spent the majority of that money. Yet the educational scores and educational proficiency of kids from low-income families have actually deteriorated, according to the reviews that have looked at it, or remained the same, at best.

Unfortunately, the child who comes from a low-income family today reads at two grade levels below the children

from other families in the same classroom in the fourth grade. That is true right through the school system. That is true of math also. It is also true of the graduation rates where there has been a distinct dropoff in graduation rates of kids who come from low-income families and in their proficiency upon graduation. So we have not succeeded in addressing the needs of kids from low-income families even though we have spent a huge amount of money.

The President has suggested: Let's stop throwing money at the problem. Although he is significantly increasing the funds, he is suggesting: Let's first look at reforming the issue so we actually give these kids from lower income families more of a chance in America to be academically competitive with their peers and, therefore, to have the opportunity of the American dream. The American dream today depends on being educated and being able to compete in a technological society.

He has suggested four basic themes: First, that we change the Federal programs from being focused on bureaucracy to being focused on the children. It is called the child-centered approach: Second is that we give local teachers and parents and principals more flexibility, which is absolutely critical as to how they educate the child, especially the child from low-income family. They know what they need. We here in Washington don't know what they need. We can't categorize programs so that we are going to help a child. It is much more important that we give the principal and the teacher and the parent more capacity to control these dollars and have some decision processes which will lead to better education. So he has suggested more flexibility.

Third, however, in exchange for the flexibility, the President has said he expects and we should expect academic achievement. That means bringing the child up to the level of being competitive with their peers; in fact, doing even better than their peers in some programs. And fourth, the President has suggested that the academic achievement level be made accountable; in other words, that we not allow the low-income child to be left behind because we norm them in with every other child. We basically put them in with the law of averages, and by putting them there, we actually ignore them and lose them in the process.

His proposals make a great deal of sense as to fundamentally reforming the system, giving the system more flexibility, making it more child centered, expecting more academic accountability, and getting accountability of what is happening in our system in exchange for more money. These are positive steps, and that is positive reform. It is reflected in the bill that underlies this legislation and hopefully will be reflected in an agreement we can work out and we are attempting to work out with the Senator from Massachusetts who I see just came to the Chamber. He has been such a major player in this issue for so many years.

I have been picking out certain sections of this bill to talk about to try to give people some exposure they might not have otherwise gotten because the bill is so big and complex. There are a lot of interesting issues in it. I am trying to focus on them in sequence just for the edification of my colleagues. Let me focus on one function today, and that is what we do relative to teachers, how we try to assist teachers.

There has been a debate raging in the Congress for the last few years which was energized, in great part, by President Clinton's initiative called classroom size. Essentially his proposal was: Let's put a lot of money out there to try to help schools hire more teachers because we know there is a teacher shortage. That is a given. There is a huge shortage in this country. His proposal was: Let's create a categorical program which says, here is a bunch of money, $1.4 billion; you can use that, school systems, to hire more teachers and to try to reduce class size down to a ratio of 18 to 1.

This was an interesting proposal, and it was in some ways appropriate, but unfortunately the execution of it was not effective.

We have in this bill tried to reform that proposal and make it more effective. First, you should understand that teacher ratio is not necessarily the function of a better education. Much like putting more money into the problem, reducing the number of kids in a classroom does not necessarily improve education. If you put fewer kids in a classroom with a teacher who is incompetent, the kids still aren't going to learn any better. The competency of the teacher, the teacher's ability to actually teach and to be an exciting teacher who excites the minds and interests of the children with whom they are dealing, is the key category as to a teacher's capacity to improve that classroom.

That requires teachers who are well informed, teachers who understand and are teaching subject matters in which they have been trained, teachers who are up to date with the latest technology, if they happen to be in the science area, and the latest developments in the disciplines in which they are teaching, teachers who have had the chance to maybe go to an extra course or an extra workshop to learn to teach better. We in Washington cannot unilaterally decide whether a teacher in Epping, NH, or Cheyenne, WY, or San Francisco, CA, is going to be a good teacher or a bad teacher. We can't even decide whether the classroom size in that community is the right ratio.

It should be noted that the vast majority of the States in the country already have a classroom ratio which is below 18 to 1. I believe 41 States already have met that ratio. But that really isn't the issue. It really is the local school district, the principal specifically, working with parents, working with the teachers in the class, who can understand whether they need more teachers to teach or whether they need their teachers who are teaching to be better educated on the subject matter, or whether they have some really good teachers in their classrooms who are being attracted to work outside the school system and they are afraid they are going to lose them because they can't pay them enough, or whether those teachers need technical assistance in order to communicate better to their students. We don't know that. We don't know any of those factors.

Unfortunately, the original program, as has been put forward and may be put forward as an amendment on the floor, was, we are going to tell local school districts: You must, in order to get these dollars, hire more teachers.

There are a lot of school districts in the country that don't need more teachers, but they do need the teachers they have to be better educated. They need to be able to retain the good teachers they have or they need more technology for those teachers.

What we have done in this bill is something called the Teacher Empowerment Act. We have merged the two major funding streams for teaching—Eisenhower grants and classroom size grants—and we have said: Here is a large pool of money. Last year it would have been $2.3 billion appropriated and $3.2 billion authorized. We have merged those two streams of money, and we are saying to local school districts: You can use this money to hire more teachers. If you have a classroom size issue, if you have a teacher need, you can use this money to hire teachers. But you don't have to hire teachers. You can also use this money to pay your good teachers more, or you can use this money to bring your teachers up to speed in the disciplines in which they are teaching, or you can use this money to give them the technical support they need in order to teach their courses better.

We are giving the local school districts a great deal more flexibility with these funds. We are actually giving them a lot more funds, but we are also giving them more flexibility. Rather than a specific top-down, Washington-knows-best approach, we are essentially saying: You, the local school districts, make the decisions as to what you need in the teaching area. These funds are dedicated to help you as a supplement, essentially, to your local efforts in teaching. And as a result, hopefully, the teaching in that school district will better serve the students in that school district.

I pick out this part of the bill to talk about because I think it reflects the overall thrust of this bill, which I believe is so positive in many ways. I have reservations about certain sections of the bill, but the overall thrust of the bill is in the right direction. This section on teaching reflects that.

This Teacher Empowerment Act is essentially saying: OK, local school districts, we understand you have a problem. We are going to try to help you with some dollars, but we are not going to tell you that you must do it one way or the other. We are going to give you a variety of options to solve the problems.

I view it as a cafeteria line, where the Federal Government says here are three or four different programs you can use. In the teacher areas, they include hiring more teachers, improving the pay of the teachers, improving the knowledge base of the teachers, or improving the technical support for the teachers; and, you, the local school district, can go down that cafeteria line and pick off the plate what you need to help your students in your classrooms. Rather than saying you only get one choice on your cafeteria line, we are saying you get four choices.

I think it is much more constructive. I think we will have a much more aggressive and effective impact on the quality of teaching—to the extent the Federal Government can assist in that.

It is basically the theme of this whole bill—at least of the President's proposals as they have come forward on the bill—to give the local communities more flexibility. Let's also hold them more accountable. There are, by the way, more accountability standards in this bill on teachers. We require higher levels of proficiency and of certification within the bill. So this is just one concept that I thought should be outlined as we go forward.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, what is the time situation?

The PRESIDING OFFICER. The minority has 29 minutes.

The Senator from Massachusetts has 20 minutes of his time under postcloture remaining.

Mr. KENNEDY. So is it possible for me to use that 20 minutes and then use a few minutes of the minority time?

The PRESIDING OFFICER. The Senator would have to get unanimous consent to do so.

Mr. KENNEDY. I ask unanimous consent to be able to use up to 9 minutes, which would be the total amount allocated to the Democrats.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. No. Mr. President, the Senator very kindly gave his time last night to the Senator from Vermont. So I ask unanimous consent that he be allowed to use the 29 minutes.

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

Mr. KENNEDY. Mr. President, I request just 15 minutes.

I thank the Senator from Texas. She is always gracious and courteous, as well as a gifted Senator.

I want to just take a few moments to go over the basic elements of the Elementary and Secondary Education legislation that will be before us this afternoon and then speak on what I consider to be the outstanding missing element in this bill. I ask the Chair to tell me when I use 10 minutes of my time.

The legislation we will be considering builds upon the excellent work done in a bipartisan way on the Health Education Labor and Pensions Committee. The bill includes the elements of our Committee bill plus some of the other agreements that have been worked out over the recent days.

The Nation's schools face many challenges that must be addressed if all students are to be challenged to achieve high academic standards. School enrollments are at record high levels and continue to rise. Large segments of the teaching force are preparing to retire. Diversity is increasing, bringing new languages and cultures into the classrooms, and family structures are changing. More women are participating in the workforce, creating a greater demand for quality before, after, and during summer school activities.

In addition, many of the Nation's school buildings are deteriorating and must be renovated and modernized so all students can learn in a safe learning environment. The demand for Internet skills is at an all-time high, but the supply of computers connected to the Internet is inadequate in school buildings located in the poorest districts.

The BEST bill is a good start toward improving student achievement in the Nation's public schools. This bill creates tough standards that must be established for States, districts, and schools which hold them accountable for improving student achievement. We must drive resources and support the most chronically failing schools to ensure they get the help they need to turn around and to succeed.

The bill requires that every child should be tested each year in grades 3–8, not as a punishment, but so that parents and educators know where every child stands and what more needs to be done to help them. We hope to strengthen provisions within the bill to ensure that these State tests are high quality, so that parents will know that the results of these tests are meaningful for their children.

All parents deserve a complete picture of what is happening in their child's school. A recent survey by the Center For Community Change found that 36 States produce some variation of a school report card that includes student achievement in other factors. Report cards will highlight school challenges and provide parents with information they can use to become more involved in their child's education. They will include information on student achievement by desegregated groups of students; graduation and dropout rates; teacher quality; information on how schools have progressed in relation to their State standards and assessments; and information on schools identified for improvement.

Reading is the golden door to opportunity. Unfortunately, forty percent of fourth grade students do not achieve the basic reading level, and 70 percent of fourth graders are not proficient in reading. Children who fail to acquire basic reading skills early in life are at a disadvantage throughout their education and later careers. They are more likely to drop out of school and be unemployed. The BEST Act triples funding for the reading programs and strengthens the Reading Excellence Act to ensure that all children learn to read—and learn to read well early—so they have a greater chance for successful lives and careers.

Over the next 10 years, we will need to recruit more than 2 million teachers to teach the record number of elementary and secondary students in our public schools. Nothing in education is more important than ensuring a highly qualified teacher for every classroom. Research shows that what teachers know and can do is the most important influence on what students learn. Increased knowledge of academic content by teachers and effective teaching skills are associated with increases in student achievements.

The BEST bill includes strong definitions of professional development, mentoring, and highly qualified teacher and contains strong accountability and application requirements. In particular, the bill contains many of the elements that research indicates constitute effective mentoring and professional development—sustained, intensive activities that focus on deepening teachers' knowledge of content, collaborative working environments, and training that is aligned with standards and embedded in the daily work of the school.

Under this bill, limited-English-proficient students will get substantially more support to help them learn English and achieve high academic standards. We are experiencing a tremendous growth in the number of limited-English-proficient and immigrant students in our Nation's classrooms—from 3.4 million students in the 1997–98 school year to an estimated 4.1 million of our school children today.

Dramatic shifts are taking place in the growth of our immigrant population in the United States, and immigrant students are emerging in areas where their presence had previously been invisible. The most recent census data shows that, between 1990 and 1998, our States in the South have experienced a growth in the Hispanic population by 93 percent.

The BEST Act responds to this challenge by providing additional opportunities for success. The BEST Act increases the federal commitment to provide educational assistance to our limited English proficient students through the Bilingual Education Act.

When the program is appropriated at $700 million, it will become a state formula program based on 67 percent LEP population, and 33 percent new immigrant population. Our bill responds to States in which the limited English proficient population has grown at a tremendous rate, and where there is little or no infrastructure in place to provide for the educational needs of these students.

Research shows that children who are home alone after school hours report higher use of alcohol, cigarettes, and marijuana. Nearly 45 million children ages 14 years and younger are injured in their homes every year and most unintentional, injury-related deaths occur when children are out of school and unsupervised. The bill expands the successful 21st Century Community Learning Centers, increasing the authorization from $846 million to $1.5 billion in fiscal year 2002. It also changes the program to a state formula program, ensuring students in every state will have expanded after-school opportunities. After-school opportunities are necessary to keep children safe before, after, and during summer school to keep children safe, help parents work, and expand children's learning opportunities. Yet demand for these programs continues outpace supply. According to a report from the U.S. Census Bureau last year, almost 7 million children aged 5 to 14 are left unsupervised on a regular basis during the after school hours.

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. KENNEDY. I thank the Chair.

The PRESIDING OFFICER. The Senator has 19 minutes remaining.

Mr. KENNEDY. I thank the Chair.

Prior to the passage of the Class Size Reduction program in 1998, under the leadership of Senator MURRAY, more than 85 percent of the Nation's students were in classes with more than 18 students, and 33 percent were in classes of 25 or more students. Because of the Class Size Reduction Act, 1.7 million children are benefitting from smaller classes this year: 29,000 were hired with fiscal year 1999 funds; 1,247 are teaching in the first grade, reducing class sizes from 23 to 17; 6,670 are teaching in the second grade, reducing class size from 23 to 18; 6,960 are teaching in the third grade, reducing class size from 24 to 18; 2,900 are in grades 4–12; 290 special education teachers have been hired. And, on average, 7 percent of the funds are being used for professional development for these new teachers. We should continue the Class Size Reduction Act.

When we send childen to crumbling schools, we send them the message that they don't matter. Fourteen million children attend schools in need of at least one major repair, such as fixed heating or plumbing systems. Half of all schools have at least one environmental hazard, like inadequate ventilation. One-third of all schools are more than 50 years old. Urban, rural, and suburban communities are struggling with national school modernization costs of more than $127 billion. The BEST bill as reported by the committee is silent on school construction needs.

We should really commit to leaving no child behind by fully funding title I. It takes resources, as well as testing and accountability, to do school reform right.

We should maintain our commitment to reduce class sizes for 2 million children instead of backing away from it. Senator MURRAY will address that issue.

We should provide subject matter training for every teacher in high poverty schools.

New teachers should have mentors to pass on wisdom and keep them in the profession.

We should fix 5,000 crumbling schools over the next 10 years.

And we should ensure every child has a safe and supportive place to go afterschool.

Without these types of investments, our efforts at school reform will fall of their own weight.

Mr. President, in order to reach the elements of this legislation, we have to provide the resources.

The fact is only one-third of the neediest children are going to benefit from what we have developed if we do not increase the funding. We are going to leave behind two-thirds of the children who qualify for assistance.

The fact remains, we have approximately 12 million poor children in America. We made a decision in the early 1960s to give special assistance to those children. It is still primarily a State and local responsibility.

When I listen to my colleagues on the other side talk about the failure of these programs, it is really an indictment of the failure of States and local communities to provide the kind of assistance which is necessary to make a difference to these children. We know what it takes to educate children. That is not a great mystery. We have many schools that annually produce very talented and creative students.

I will tell you, Mr. President, what I fear about this legislation.

Looking at the funding levels for this legislation, we see we are currently reaching one-third of these children. We state in this legislation that all of these children, the 12 million who are basically poor and somewhat smaller numbers who are actually eligible who are very poor. None of these children should be left behind.

Under the President's budget, in fiscal year 2001, 3.5 million children are served under title I funding; fiscal year 2002, 3.7 million; fiscal year 2003, 3.9 million; fiscal year 2004, 4.1 million, and fiscal year 2005, 5.2 million children.

The Democrats start off with the same base at 3.5 million, up to 5.2 million, 6.9 million, 8.6 million, and by fiscal year 2005, no child is left behind. That is the basic and fundamental gap. This legislation offers these opportunities to only a small percent of the eligible children, and that is wrong.

We have fashioned a good bill that can benefit all children. So it is a reasonable question to ask: Why aren't we taking care of all the children? Why are we taking care of just one-third? Do we have the resources? Yes. Do we have the will? Evidently not. Do we have other priorities? Apparently so. A small percentage of the extraordinary tax cut of $1.3 trillion, about $5.3 billion a year over 4-years, would allow every one of these children to get the assistance they need to achieve success.

There is a high demand for afterschool programs. Last year, there were more than 2,250 applications for afterschool programs, and only 310 were funded.

What happens in these afterschool programs if we do not have enough resources? Why are afterschool programs so important? First, we have 7 million children between ages 9 and 13, who are left unsupervised after school hours. Afterschool opportunities are necessary to keep children safe, help parents work, and expand children's learning opportunities.

Do parents want this service? Yes. Do children need it? Yes. Are they effective? Yes. Do we have the money? No.

We are talking about the future of the country. We are talking about 80 percent of the children going to innercity schools in the eighth grade are without an adequate math teacher who can teach them algebra. We know all educators will effectively agree if children do not learn algebra, they have a difficult time advancing on to college. Unless someone is going to help provide the well-trained teachers who can teach student necessary math skills, we are effectively saying to millions of children in the country, that opportunity is closed to them.

This issue effects the future of our Nation. We are talking about a world economy, a highly educated society; we are talking about updating skills; we are talking about continuing training programs for people in jobs so they can compete. Are we meeting that challenge at the local level? We are not. That is the extraordinary tragedy in this program.

This legislation is the basis of something that can be enormously important and, I believe, can make a real difference in the education of some of the neediest children in our country. However, we are going to fail to meet that test unless we have the resources. Unless we are going to provide those resources, we are going to fail our children.

We know that many poorer schools are more challenged today. We have added approximately 5 million specially challenged children, who were not in the schools 10 years ago. They are taking the tests.

We have seen the expansion of the number of homeless children in our

schools, some 600,000 homeless children. We have approximately 500,000 seasonal workers' children, a third attending school, and then moving on. We have migrant children in our school. We have challenges with different languages, with more than 4 million school age children who are either limited English Proficient or immigrants. We have seen an increase in separations and divorces, which has placed pressure on children. We have also seen the explosion of violence in our society—and in our schools. Many of the schools and teachers bear the brunt for dealing with those special needs. All of these factors are impacting children as they go to school.

We must not fail to do what works. That means a well-trained teacher in every classroom. It is amazing so many teachers in the inner-city schools working as long and as hard under such circumstances. They are extraordinary individuals making a difference in people's lives under extraordinary conditions. We need to give them help, assistance, and confidence. We need to make sure they will have the equipment they need to get a first-class education.

Why do we say education counts and then have children go to a crumbling school? It makes no sense. We can talk the talk but unless we are prepared to walk the walk, we fail the children.

We need accountability to make sure the children are actually learning. We want to make sure those schools will be safe. We want smaller class sizes in the early grades, so a teacher can take a little time with a child that has a particular need during the course of the day, rather than looking at the child as a number.

On this side of the aisle, we are virtually united in insisting we are going to get the resources to be able to do that.

We know now there are 10,000 failing schools. We also know that it costs about $180,000 to turn a school around. There are a series of 57 different options that have been tried and tested that are suitable for different schools. It would take $1.8 billion out of a trillion dollar budget, to try and turn schools around.

We are missing an extraordinary opportunity and responsibility in doing something about these children's education. If this is going to be a first priority for the administration, it ought to draw on first priority dollars and resources and invest in the children who need it. We ought to provide the resources necessary to leave no child behind, to reach every child before we even consider providing the tax breaks in the President's budget.

I yield the floor.

The PRESIDING OFFICER (Mr. BUNNING). The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent, with the agreement of the minority, that Senator FRIST be given 10 minutes of the next 30 minutes of divided time, that then Senator GORDON SMITH be given up to 5 minutes, following which the minority would have their 15 minutes, following which Senator BUNNING from Kentucky would have 20 minutes, following which the minority would have 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Tennessee.

Mr. FRIST. Mr. President, I rise to speak very briefly—for 10 minutes—on the Better Education for Students and Teachers Act, a bill that was passed out of the Health, Education, and Pensions Committee, a bill that speaks very well to the principles, to the ideals, to the practical application of what President George W. Bush has put forth as his principles for education reform.

Let me say at the outset, as most people know, that there is a lot of discussion today about funding. We have a bill with significant reforms that I hope will very soon be brought to the floor. That reform effort, which is terribly important, as we all know, and as both sides of the aisle agree, is being linked in concept, but also in process, to increased funding, as we just heard from my colleague from Massachusetts. I want to quickly provide some perspective about the funding side. While we have been talking a lot about the reform side, and will continue to talk about it, the funding side has been pushed aside. People know negotiations are underway. But I want to put it in perspective.

The primary argument for increased funds, according to the other side of the aisle, is that the modernization of the Elementary and Secondary Education Act requires increased funding to pay for those reforms. I want to make it very clear, again, to my colleagues and to people who may be watching this debate across the country, that when the Democrats were in charge of this body, that was not the principle that was applied. There was no dramatic increase in funding for reforms.

One example: In 1988 a Democrat Congress reauthorized the Elementary and Secondary Education Act, the same law enacted in 1965 that has been reauthorized seven times, and in the subsequent appropriation year—1989—a 5.1-percent increase in title I was enacted to cover those 1988 reforms.

Five years later, in 1994, a Democrat Congress reauthorized ESEA, again hailing at the time that it was the most significant reform package since the bill was initially put into effect in 1965. I quote a Senator from the other side of the aisle who said:

> It is the most important reauthorization of ESEA since the landmark Act was passed in 1965.

That particular Senator went on to hail the bill's accountability and high academic standards. I want to point out that for the major comprehensive reform effort, at that time, to the title I 1994 reauthorization, the Democratically-controlled Congress appropriated a mere 5.7-percent increase in the following year, fiscal year 1995.

So, when in control, the other side of the aisle has offered increases associated with reforms of somewhere between 5 and 6 percent a year. Yet in our negotiations several weeks ago they asked, not for what they had put forward, and appropriated, throughout their history of being in charge, which is an increase of 5 to 6 percent, but instead came to the table recommending, suggesting, insisting, on a 75-percent increase, and not in 5 years or 10 years, but in just 1 year.

At this moment negotiations are underway. I am not in the middle of those negotiations, but the figures being negotiated by the other side of the aisle are a 50-percent increase, a 49-percent increase. That ends up being about $5.2, $5.3 billion.

I point out to my colleagues that never, ever in the program's entire history has it grown by even $1 billion. So these proposals are significant increases. But I hope that when agreement is reached in the next several days, whatever figure we end up with, that the American people will understand that it is a figure dramatically larger than any ever suggested by the other side of the aisle.

President George W. Bush has demonstrated a strong and remarkable leadership position in reforming and modernizing education. He has focused in particular—and this is reflected in the agreements and in the policy that is being formulated in a bipartisan way—on serving the most needy students, so that, indeed, no child will be left behind.

We have all talked a lot about the achievement gap which has not narrowed but in fact gotten wider over time, the gap between the most needy students and others, between the underserved and others. The commitment of the President of the United States, and the bipartisan commitment in the underlying policy, is something, again, that we need to keep first and foremost in our mind—putting the emphasis on children, on individuals, and not on bureaucracies, on programs, or, I would add, indeed, not just throwing money at a system uncoupled with reform.

The President of the United States has expressed a willingness to support the largest increase in education funding, focusing on title I, ever proposed in the 35-year history of the program. I mention that because we tend to lose perspective. The bottom line is this President has proposed, and we support, the largest increase ever in the 35-year history of the Elementary and Secondary Education Act.

We have a great opportunity as we go forward. We look at the failure of performance of ESEA, especially as we focus on the neediest students, and the opportunity to reform and modernize with, yes, an increase in investment, but also with reform that captures the

very best of what the American spirit is all about, and that is the creativity, the innovation, and the freedom to address issues and reward success rather than failure, as we have done in the past.

The underlying bill, which I am very hopeful will be released by the other side and brought to the floor so we can talk about it, stresses issues such as accountability.

Let me also point out that although people say we do not know what is in the underlying bill, that bill is before us, on all of our desks. Yes, there are modifications and there are certain agreements that are being reached that will be added to that bill. But they can look at that bill. I hope that bill will be brought to the floor. Basically, it does four things. No. 1, it increases accountability for student performance; No. 2, it rewards success; No. 3, it increases flexibility and freedom; and, No. 4, it puts emphasis on parents.

No. 1, it increases accountability for student performance. Over the last 24 hours in negotiations, we have reached general agreement on how to build in that accountability in a strict way. Yes, we give more freedom to innovate, but we link that to demonstrable results, measurable results. It is called average yearly progress. The technical aspects that have been worked out, and that language will be available shortly today.

No. 2, the BEST bill. It is called the B-E-S-T bill, Better Education for Students and Teachers Act. Again, the emphasis is on teachers and students. It focuses on what works. As I pointed out in my previous remarks on the floor, what is important is that we have an understanding, a measurement, of what works based on good science, on good research.

No. 3, the BEST bill will also reduce bureaucracy. It will get rid of red tape, and it will increase flexibility. That really comes back to the importance of having local control and innovation, of rewarding what works and recognizing what does not work. Additional flexibility will be given to the States, to the districts, and to the schools, stripping away the unnecessary and needless red tape that results in teachers not being able to teach; that takes time away from teaching; that prevents principals from spending time administering their schools.

No. 4, the underlying bill focuses on parents and on the individual student. It involves an element of choice. No longer will a child be locked into a school that fails today, that will fail next year, and the year after that. in spite of reform, in spite of additional resources. That child, for the first time in the history of this country, will be given an opportunity to choose another public school.

Those principles are accountability, rewarding success, reducing bureaucracy, increasing flexibility, and empowering parents.

I am very excited about this opportunity to move forward. I am very hopeful that we can, even though the other side objects to its being brought to the floor.

I yield the floor.

The PRESIDING OFFICER (Ms. COLLINS). The Senator from Kentucky is recognized.

Mr. BUNNING. Madam President, I ask unanimous consent to be allowed to take my 20 minutes now and concede to the opponents or the opposition 20 minutes following my 20 minutes.

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

Mr. BUNNING. Thank you, Madam President.

Madam President, I rise today to talk for a few minutes in support of S. 1, the President's education reform bill.

We all agree that every child should receive a top-notch education, and that no child should be left behind. There isn't one Senator who disagrees with that.

But we can disagree on the best ways to meet this goal, and that's what much of the debate is going to be about.

I believe that the bill before us today deserves our support for a number of reasons. And it ensures that no child left behind is more than a campaign slogan—it's a promise to our families and their children.

First, the legislation makes badly needed changes to the Department of Education—changes that will help us do a better job at educating our kids.

In the past we've relied too much on creating new programs and the failed notion that spending more and more money, and that creating more and more government, are answers to the question of how to best educate our kids.

If that were true, Federal welfare spending would have ended poverty years ago.

And Federal education spending would have ensured that every child could read and write. That hasn't happened because money isn't the answer.

Many of my friends on the other side of the aisle talk about spending more money as if it were a magic pill that will fix all of our problems.

This just isn't true. Look at the schools in the District of Columbia. Per student spending there is among the highest in the land, and the school system has been in terrible shape for years.

More money and more programs aren't the answer. It might sound good. It might make some of us feel better. But it's a false promise that cheats our kids.

And I would like to remind my friends on the other side who are now questioning our commitment to kids that the last time Congress worked on reauthorizing the ESEA back in 1994 that they didn't say one word about linking the bill to appropriations—not one word.

So all of their complaining now rings a little bit hollow.

You can't prove your commitment to children, your commitment to education just by tossing around dollar figures. Talk is always cheap. There is a difference between just spending more money and spending it wisely. This bill recognizes that difference.

For instance, today there are 58 programs funded through the Elementary and Secondary Education Act alone, and we are going to spend approximately $18 billion on these programs this year alone.

The bill before us simply doesn't just tack more programs onto current law and increase spending as part of a hollow promise to improve education.

That would be a cheap out, an easy way to make us all feel better. Instead, this legislation makes more fundamental and significant changes. It folds many of these programs into more constructive approaches, and repeals others that don't work.

That does not happen often in Washington—getting rid of a program that doesn't work.

But this bill does it. And I think it's going to make a difference for the kids. And by folding programs and some spending into block grants, we put more power in the hands of the local officials and teachers who are on the front lines and have the most experience with what methods really work.

Another good aspect in this bill is that it requires results and instead of just tossing funding at a problem, it injects serious accountability into education.

By testing students annually from grades three to eight, we make sure they are actually learning and not simply getting passed along to become someone else's problem.

And it holds teachers and school boards accountable for these results. If scores don't improve, the kids can leave those failing schools and funding will follow them to institutions that work and teach.

Schools that fail to educate their students will face the consequences. Parents will be notified and students will be allowed to transfer to other public schools.

If the problems continue, the school could be forced to implement a new curriculum, the school's staff could be replaced, or the school could be reopened as a charter school.

This legislation contains other promising initiatives, including the Reading First Program that makes sure all children read by the end of third grade.

Instead of social promotion, we are actually going to make sure that kids master the most fundamental skill of all—reading. And there is an Early Reading First program that focuses on reading for children ages 3 to 5.

I realize that this sort of testing and accountability is a change from the past for many and makes a lot of folks nervous.

However, there are times when change is necessary. And this is one of those times. We should not be happy

with the status quo when it comes to educating our children, and should always be looking for better ways to educate.

If something doesn't work, you change it. Fear of improvement or a fresh approach is no reason to continue to shortchange our kids. By requiring the States to test children, this bill maintains another crucial aspect of our educational system—local control.

Some of my colleagues might remember last year when President Clinton took a tour around the country to promote one of his education proposals. Some of the Washington bureaucrats put together a map of his tour that included a stop in Owensboro, KY.

Of course the map and the PR material they put out about the President's trip to Owensboro showed it being in the middle of Tennessee, and actually lopped off the western part of Kentucky and gave it to Illinois.

That is just a funny little mistake, but it demonstrates my point that Washington does not know best.

I definitely trust folks in western Kentucky—who know where Owensboro really is—to educate our Kentucky kids than officials who work here at the Department of Education.

I already talked a little but about block grants and about how they'll work. I'm also glad that the legislation strengthens the successful ED-Flex Program and I hope it eventually includes the important straight A's Program.

Those are crucial parts of this bill that guarantee local control and the best possible results. Under the President's plan, States test kids in grades 3–8 in reading and math, States are responsible for creating the tests as well as setting performance goals and creating a plan for ensuring that all of their students are proficient on their statewide tests within 10 years. Additionally, States will also administer a national test, called the National Assessment of Educational Progress in grades 4 and 8, to make sure all students across the country are not being cheated out of a good, positive education.

By protecting the role of State boards of education, we help ensure that local communities can play their traditional role in instructing our children. And just to make sure that the work gets done, the Federal Government will foot the bill for these testing procedures by paying for half of the cost of the statewide tests, and the full cost of the national assessment test.

Local education agencies will be held to the same standards of improving student achievement, and will face similar consequences if they fail. Just as students have to pay a penalty if they fail, so should teachers and schools if they fail in their responsibilities. Education is a serious business. There should be real consequences for failing our kids. We trust schools and educators with our kids' futures, and there is no reason why they shouldn't be called to task for the results. Personally, I think that one of the most effective parts in this bill is the provision that gives children the power to change schools if their school fails them. To sum it up, in this legislation the money follows the kids. If a child escapes a failing school, the money used to help educate them follows them to an institution that works.

I support completely the choice of schools for children. I think it is the best way to give schools an incentive to do a good job. Competition is the way to ensure the best results when it comes to markets and practically every other part of our society. But for some reason, when it comes to education and our kids the opponents of choice say no. I don't know why the opponents of choice think that it won't work for kids and schools. I believe that this cheats our neediest students and takes power away from them. I look forward to this part of the debate. But even if we don't succeed in giving complete freedom of choice to students, the fact that this bill gives students in public institutions the power to change their schools is a dramatic improvement over the status quo.

In conclusion, I urge support for the bill. The legislation before us presents an important choice to us: Do we continue with the status quo, or do we take an important step in improving education for children, and ensuring a bright future for them? Do we listen to those who sing the tired old songs about more money and more money, or do we opt for real reform and accountability? I, for one, will vote to improve education and for a fresh start for our kids. I urge support for this legislation before us today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Madam President, I was not here when the order came for my 5 minutes in a unanimous consent agreement. I ask unanimous consent I be allowed 5 minutes now, and any time I get be added to the Democratic side. I will be very brief.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator may proceed.

THE BUDGET RESOLUTION AND UNINSURED AMERICANS

Mr. SMITH of Oregon. Madam President, I have come to this Chamber in the past to express my frustration when things have not seemed to be proceeding and we seemed to have been stuck in gridlock. Today is a very real exception to that feeling. I rejoice that we have a budget agreement, and that we are working on education reform that puts serious resources behind serious reform in our educational system.

I am here as well to thank the leaders of the conference committee on the Budget, specifically Senator DOMENICI and Senator LOTT on our side, and others in the House and Senate who have, I am told, preserved the one thing I wanted most in this budget, which was a $28 billion authorization for 3 years to expand health care to the uninsured.

I came to this issue not this year, but from the first year I entered public life as an Oregon State senator and won membership on our health care committee. I was not around when we created the Oregon Health Plan, but I did play a role in obtaining funding for it. The Oregon's Medicaid program, known as the Oregon Health Plan, has dramatically reduced the number of the working uninsured in the State of Oregon.

We have a tradition in our State of trying to take care of those who cannot take care of themselves. I express gratitude to my colleagues on the Democrat and Republican side for this budget agreement that will help our State and others do just that.

I believe we need tax reduction and tax reform. I think we are going to do something very significant in our generation with what we will likely adopt very soon in this body and the other, and that President Bush will sign. It will put real dollars into the pockets of working Americans.

But I must say how grateful I am that this budget item has been preserved—$28 billion for the uninsured—because while we cut taxes for Americans, it is also appropriate that we care for those who cannot care for themselves.

Madam President, I ask unanimous consent an editorial from the Washington Post of this morning entitled ''Timeout for the Uninsured'' be printed in the RECORD.

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

[From the Washington Post, May 2, 2001]

TIMEOUT FOR THE UNINSURED

House conferees have been fighting with their Senate counterparts to reduce the spending levels in the congressional budget resolution. No doubt some cuts can be made in the Senate totals without the country's suffering harm. But at least one relatively minor Senate proposal deserves to remain.

Oregon Sens. Gordon Smith and Ron Wyden won inclusion in the budget of an additional $28 billion over three years to reduce the number of Americans without health insurance. The money would mainly be spent on lower-income people. Exactly how would be up to the authorizing committees, but an add-on of some kind to Medicaid and/or the children's health insurance program that Congress enacted several years ago seems most likely. The modest expansion would hardly solve the un-insurance problem, but it would push in the right direction.

About a seventh of the population remains uninsured. Most are poor or near poor. They lack insurance mainly because they can't afford it. The administration has proposed a tax credit to help those whose employers don't offer insurance. But the credit would cover only part of the cost of an average policy, and most uninsured families still would find such a policy beyond their means. Some people think the industry might respond by offering only partial policies, but it's not clear that would be a good result, either.