parts of the bill. It guarantees funds for professional development and mentoring. To date, we have not been guaranteeing the funds for professional development.

The BEST Act moves to ensure that all teachers in schools with 50 percent of poverty or higher are highly qualified in 4 years. I welcome that language. That is putting a challenge to the Congress: Are we going to provide the resources to make sure we have the highly qualified teacher that will teach in these urban areas or rural areas, where we have the high percentage of needy children?

We are committing ourselves. If we are going to commit ourselves to getting well-trained teachers, we have to provide the resources. That is what this amendment does. It holds all States accountable for ensuring all teachers are qualified, and if we hold the States accountable, we have to provide the resources and require States to provide assistance to teachers in schools. It ensures teachers receive professional development to help students reach higher standards.

Requiring professional development helps all students, including those diverse racial and ethnic students, students with disabilities, students with limited English proficiency, meet higher standards.

The States are required to set the performance goals that include the annual increase and the percentage of highly qualified teachers that schools with 50 percent of poverty or more are highly qualified within 4 years. The States have to set their goals and know at the beginning of this walk that we are going to walk the walk with them, that we will provide the resources.

How do we expect the States to accept this responsibility if we are not going to provide the resources? We expect in their plan that the States are going to have to have accountability as well. States that do not meet this goal in 4 years will lose 15 percent of their administrative funds and risk increased sanctions in the following years.

We are asking everyone to be responsible and to be accountable. We are asking the States, the schools, and the students to be accountable.

The last question is whether we are going to be responsible. The way we are going to be responsible is supporting this amendment which will, hopefully, establish the guideposts for sufficient funds for the training of teachers and professional development.

My amendment effectively is a sense of the Senate that the Congress should appropriate the $3 billion authorized in the BEST Act for improving teacher quality, and authorizes a $500 million increase per year for the subsequent 6 years, 2003 to 2008. I hope this amendment receives a strong bipartisan vote in the morning.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Vermont.

AMENDMENT NO. 372

Mr. JEFFORDS. Mr. President, tomorrow the Senate will vote on the amendments now pending, including an amendment offered by Senator CRAIG that will deny increases in funding under the Elementary and Secondary Education Act if a State fails to make adequate yearly progress as defined by the BEST Act. That is the Education Act on which we are working.

This amendment by Senator CRAIG addresses a very important issue—accountability for results—the issue on which we spent the bulk of our time working when crafting S. 1.

There is already a mechanism for holding States accountable in S.1. Keep that in mind. We already have a provision for that.

In title VI, part B, if a State fails to meet its goals for adequate progress in improving student achievement, the Secretary must reduce the funds available to that State in succeeding years.

I should add that there are also accountability provisions directly related to student performance at the school and district levels.

It does not make sense to reduce the overall funding to a State, when in fact some schools and districts may be doing a good job and others are not.

S.1 targets sanctions to where the problem exists.

In other words, if one school in a district is doing well and another is not, we have focused our school improvement activities on the school that is not doing its job to improve achievement.

Similarly, if one district in a State is excelling and another is not, raising the achievement of all its students, then under our bill, the poor performing district would be sanctioned.

Under this scenario, with these school and district level accountability provisions in place, it would not make sense to reduce the funding of all the schools and districts by reducing the grant to the State.

Instead, as I mentioned earlier, under S.1, a State not making its performance goals would only be sanctioned based on the funds it is allowed to keep at the State level, not to hurt the individual district.

I can assure the Senate that these funds are very important and valuable to States, and their loss will certainly be something that States will work hard to avoid.

The Craig amendment would dramatically expand the sanctions already spelled out in the bill and would result in a disproportionate penalty, in my view.

My colleagues should not be under any illusion that only a few States will fail to make adequate yearly progress. Of the 18 or 19 States we have looked at in an informal survey, nearly three quarters would have failed last year, and the handful that did not fail outright might do so with disaggregated data.

I appreciate my colleague's interest in driving change at the State and local levels, but I think the President's proposals, incorporated in the BEST Act, offer a more precise means of doing so in the years ahead.

Adoption of the Craig amendment, by contrast would stop dead in their tracks the President's testing and reading initiatives. I hope the Senate will resist the Craig amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

Mr. KENNEDY. Madam President, I ask unanimous consent that the pending amendment be laid aside.

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

AMENDMENT NO. 382 TO AMENDMENT NO. 358

Mr. KENNEDY. Madam President, I send an amendment to the desk on behalf of Mr. DODD.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for Mr. DODD, proposes an amendment numbered 382 to amendment No. 358.

The amendment reads as follows:

(Purpose: To remove the 21st century community learning center program from the list of programs covered by performance agreements)

On page 752, line 7, strike ''F or''.

Mr. KENNEDY. Madam President, I ask unanimous consent that the amendment be temporarily laid aside.

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

Mr. DORGAN. Madam President, I ask unanimous consent to speak in morning business for 5 minutes.

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

THE PROPOSED WORLD WAR II MEMORIAL

Mr. DORGAN. Madam President, I ask unanimous consent to have printed in the RECORD a news article by Benjamin Forgey from the Washington Post dated May 5, 2001, about the World War II memorial that is proposed to be built on The Mall between the Washington Monument and the Lincoln Memorial.

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

[From the Washington Post, May 5, 2001]

AN OVERDUE HONOR FOR WWII VETERANS ONCE AGAIN IS UNJUSTLY IN THE LINE OF FIRE

(By Benjamin Forgey)

Veterans of World War II ought to be fighting mad right about now.

Bad luck and a bad case of nerves on the part of a federal agency may delay the World War II Memorial on the Mall—possibly for years. This, after 22 public hearings, four approving congressional laws and six years of give-and-take had produced a fine, ready-to-build design.

In an extraordinary vote Thursday, the National Capital Planning Commission put itself in a position to reverse all of its previous approvals of the memorial—of the prominent site between the Washington Monument and Lincoln Memorial, the design concept that embraces the site and the details of the design.

In essence, the commission is proposing to subject the folks who sponsored the memorial and raised more than $100 million to a bureaucratic form of double jeopardy. The site has been dedicated and millions of dollars have been spent to prepare the approved design. In addition to dealing with a pending lawsuit brought by steadfast opponents, the American Battle Monuments Commission, the memorial's official guardian, must now gird itself to go through the contentious process another time.

This could be a mere formality, if after hearing a day of pro and con pubic testimony at a special session on June 13 the commission simply votes, in another special session the next day, to reapprove its prior approvals. However, so clear and easy a solution seems highly unlikely. Four of the 12 commission members, including Chairman Richard Friedman, are new since the agency took its last vote on the memorial five months ago. (One of the seats is currently vacant.)

More likely, the commission will ask for changes in the design. Even if the alterations are limited, it could take, say, 12 months to get them through the reviewing process again. Law requires approval of any changes not only by the planning commission but also by the Commission of Fine Arts and the secretary of the interior—usually a difficult, time-consuming process.

In a year, more than 400,000 aging World War II veterans will die.

Then there is the possibility that the commission will reverse itself completely by rejecting the design concept and the site, which was sanctioned by both commissions five years ago after a thorough consideration of alternative locations. If this happens, selecting another site, designing a new memorial and getting the necessary approvals could take five years or more.

In five years, more than 2 million World War II veterans will die.

If this seems as preposterously unfair to you as it does to me, we are in the same club as Tom Hanks, who says as much on those touching it's-about-time television spots as spokesman for the national memorial. Such delays are unconscionable. The veterans—and, in fact, the entire World War II generation—deserve dignified commemoration while some are still alive to hold their heads high.

This is particularly so in view of the time and talent already spent in quest of a fitting location and design for the memorial. I do not mind saying this again: The site could not be better—on the central axis of the Mall at the eastern end of the Reflecting Pool, with the Lincoln Memorial to the west and, to the east, the Washington Monument and the Capitol. Alone among events of the 20th century, World War II deserves commemoration on this symbolic holy ground of the American democracy.

The genius of the design by Friedrich St. Florian, the Austrian-born Rhode Island architect who six years ago won the national design competition for the memorial, is how splendidly it fits the contours of this impressive site. Taking its primary cues from circular ends of the existing Rainbow Pool and the cupping rows of elm trees that frame the great vista, the memorial honors its honorific place on the Mall.

But it is worth noting that St. Florian's design did not do so at the beginning. In response to the overblown requests of the Battle Monuments Commission—asking for a museum-size undergrown exhibition space, among other things—the first design was impressive, but predictably overblown. It got a rough going-over from both reviewing commissions and, gradually, was whittled down and fitted elegantly into the landscape.

All of this patient, productive back-and-forth process may now prove to have been useless. In part, the fact that the commission is even considering reversing itself is due to a mere technicality—or just really bad luck.

Three of the board's five previous approvals of various facets of the memorial have been called into question because former chairman Harvey Gantt continued to work after his term officially had expired, awaiting a replacement. This is a common administrative practice and usually is covered explicitly in legislation. Yet somehow, back in the 1970s, that language was dropped when the planning commission's authorizing law was rewritten, and nobody noticed until now.

This seems a thin excuse for revisiting even the ''questionable'' votes—covering preliminary and final memorial plans. It offers no pretext at all for reviewing the commission's crucial, positive votes taken before Gantt's term expired—on the design concept (its style, philosophy and general configuration) and the site. But after Thursday's vote, that is where we could be headed.

A series of questions come immediately to mind. Was Thursday's vote wise? Was it even necessary? Should not some other body—the Justice Department, Congress—decide on the legality, or lack of it, of the previous chairman's votes before anything else is done? Then, what about all the other issues the commission decided during Gantt's interregnum—for instance, the controversial Washington Convention Center?

Of course, something good can result from the new hearings in June, as well as the ''balanced'' panel of architects, urban designers and landscape architects the commission seeks to convene later this month. (May 23 is the tentative date.) There is a lot to be said, after all, for hearing all sides of a story, even if the arguments are the same ones we've been listening to for years.

So far, the site and the design have proved strong enough to withstand hostile criticism—and probably this will happen again. The memorial is not misplaced, as its opponents contend, and most fair observers can see this. It does not close off the Mall, as critics have said. Rather, it adds something important to the vista. It is not Nazi architecture—the most hateful of the attacks—but, like much else in Washington, it is part of a 2,000-year-old tradition of classical architecture.

It is not a perfect design, to be sure, but changes, if any, should be considered very, very tenderly. As in all very good designs, each part is intimately related to the others. You cannot just rip a hole in the memorial to ''open the Mall,'' for instance, without affecting the delicate, finely wrought balance of the whole.

But the special reason to proceed with caution here is the human costs of further delay. Like the movement to build Civil War memorials throughout the North and South in the late 19th and early 20th centuries, the impetus to construct a national World War II memorial gained strength as the wartime generation began to disappear.

The Veterans Administration provides these sobering statistics. Of the 16 million American men and women who served in uniform during World War II, about 5 million are alive today. In 2004—the earliest date the Mall memorial could be dedicated if everything proceeded smoothly—3.8 million veterans will be left. For every year after that—well, you do the math.

Mr. DORGAN. Madam President, I recall when Tom Brokaw wrote his book, ''The Greatest Generation,'' I picked it up in an airport and began reading and marveled once again at the dedication those young men, and some young women, in the 1940s, expressed to this country. They dedicated their lives to beating the fascism and nazism exhibited by Adolf Hitler. They kept the free world free. Many paid for it with the ultimate sacrifice—their lives.

It has been proposed for some long while to build a memorial on The Mall of the U.S. Capital to those World War II veterans. That World War II memorial has been in the planning stages forever, and the National Capital Planning Commission is proposing to reverse previous approvals of the memorial and once again delay construction of this memorial.

The people who sponsored this memorial have raised more than $100 million from private sources. The site has been dedicated. In addition to dealing with the pending lawsuit by opponents, they must now—these folks who have worked on this for so long—gird themselves to go through the contentious battle one more time.

This year, more than 400,000 aging World War II veterans will die. Sixteen million American men—mostly men—and some women, served in uniform during World War II. Of those 16 million, about 5 million are now alive.

In 2004, which is the earliest date the World War II memorial could be dedicated if everything proceeded smoothly, about 3.8 million veterans of that was will be left. As the article suggests, do the math. We need to move aggressively to see that the lasting contribution these men and women made for their country is recognized by building that World War II memorial.

I have told my colleagues previously, of a discussion I had with a member of the European Parliament about 2 years ago, in which we were discussing some differences between the United States and the Europeans. He stopped me at one point and said, ''Mr. Senator, I want you to understand something about how I feel about your country.'' He said, ''In 1944, I was 14 years old and standing on a street corner in Paris, France, when the U.S. Liberation Army marched into Paris, France, and freed my country from the Nazis.'' He said, ''A young black American soldier reached out his hand and gave that 14-year-old boy an apple. I will go to my grave remembering that moment. We

hadn't had much fruit under the nazi occupation for a long while. But I will remember that moment that young soldier handed me an apple.'' He said, ''You should understand what your country means to me, to us, to my country.''

I remember, again, the sacrifice that was made by so many Americans in World War II, the sacrifice made by what Tom Brokaw calls, appropriately, the ''greatest generation.''

It seems to me appropriate that we ask those involved in the planning of this memorial, who are once again trying to evaluate exactly the conditions under which it is built, to allow this to go forward, allow this for the people who have spent the time, planned this memorial, and raised the money to make this happen for the World War II veterans. We owe our veterans that, and we don't owe them further delay. Let's not have further delay. Let's get the memorial built.

BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT—Continued

Mr. MURKOWSKI. Mr. President, our education system is in need of serious reform. Thirty-five years ago, Congress enacted the first Elementary and Secondary Education Act. Billions of dollars have been spent on Title I, the program that is the cornerstone of the federal investment in K through 12 education for disadvantaged children.

However, only 13 percent of low-income 4th graders score at or above the ''proficient'' level on national reading tests. As the recently released results of the 2000 National Assessment of Education Progress show, the reading scores of 4th grade students have shown no improvement since 1992.

Even worse, no progress has been made in achieving the program's fundamental goal, narrowing the achievement gap between low-income and upper-income students. It is obvious that the current system has serious problems and it is time that we make serious reforms.

Some of my colleagues feel that the solution is to throw a huge amount of money at education. I disagree. Yes, education funding should increase, but continuing to expand the current federal system, which is characterized by its many duplicative and ineffective programs is not the answer.

We should be working together to ensure that education legislation establishes real standards for measuring academic achievement, streamlines federal education programs, promotes local flexibility, encourages and protects good teachers, and gives parents of students who are trapped in failing schools the opportunity to seek a better education for their children.

It is time to do something different. Although focusing on curriculum and teaching methods have fueled many of our past debates it is now important to shift our focus to the more general and structural aspects that affect learning. We need to allow parents, teachers, and schools to decide what is best for their children.

I believe that decisions about a child's education should be made by people who actually know the child's name. I do not believe that bureaucrats and politicians in Washington should dictate how states and localities spend education funds. Students in my home state of Alaska face unique challenges due to the diverse population, size of the state, and the isolation faced in rural communities. We need greater flexibility in order to meet our students needs.

The President's education plan demands that states demonstrate student academic gains in reading, and math, as well as progress in reducing the achievement gap between disadvantaged students and their peers. We need accountability so that we can be assured that there's academic achievement. All of the educators that I speak to in Alaska tell me that they are not afraid of accountability. However, they maintain that they need more flexibility to reach high academic goals.

I agree with the President that we should consolidate federal elementary and secondary programs, insist upon high standards and accountability, and allow states and localities the flexibility they need to educate children.

It is time to recognize that we need to do something different. I call on my colleagues to work together to pass legislation that is ''real'' education reform.

EXECUTIVE SESSION

NOMINATION OF JOHN ROBERT BOLTON OF MARYLAND TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY

The PRESIDING OFFICER. The hour of 4 p.m. having arrived, the Senate will now go into executive session and proceed to the consideration of Executive Calendar No. 39, which the clerk will report.

The legislative clerk read the nomination of John Robert Bolton of Maryland to be Under Secretary of State for Arms Control and International Security.

The PRESIDING OFFICER. Under the previous order, there shall now be 3 hours of debate on the nomination.

Under the previous order, there shall also be 60 minutes under the control of the Senator from North Dakota.

The Senator from North Dakota is recognized.

Mr. DORGAN. Madam President, on the John Bolton nomination, I understand that I am to be recognized for an hour.

The PRESIDING OFFICER. The Senator is correct.

Mr. DORGAN. Madam President, I ask unanimous consent to give the final 15 minutes of my hour to Senator WELLSTONE.

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

Mr. DORGAN. Madam President, the issue before the Senate is the nomination of the Under Secretary of State for Arms Control and International Security. The proposed nominee is Mr. John Bolton. I don't know John Bolton from a cord of wood, and I have no ill will toward him, but I come to the floor opposing this nomination in the most vigorous way possible.

We have a circumstance in this world where there exist somewhere in the neighborhood of 30,000 to 40,000 nuclear weapons. They exist in relatively few countries. We have a large stockpile of nuclear weapons, Russia has an even larger stockpile of nuclear weapons, and a few other countries are members of the nuclear club. It was demonstrated about a year and a half ago, or so, that both India and Pakistan have nuclear weapons. They don't like each other at all. Each tested nuclear weapons underneath the other's chin. One wonders about the wisdom of that. It demonstrated for all of the world the danger of so many nuclear weapons, the proliferation of nuclear weapons.

So it is our job, it is incumbent upon us in this country, to be a world leader and to stop the spread of nuclear weapons and to be a world leader in trying to reduce the number of nuclear weapons on this Earth. This is our responsibility.

The area of our Government in which leadership is required is that of Under Secretary of State for Arms Control. That is where one would expect to see leadership with respect to arms reductions, arms control talks, and stopping the proliferation of nuclear weapons.

President Bush nominated John Bolton for the job. He is exactly the wrong nominee. He is exactly the wrong person to put in this position. Again, I do not know him personally. But I know of his thinking and writings and how he has expressed himself in recent years about these subjects. I am going to use some of these expressions, quotes, and articles he has written to demonstrate why I think he should not be confirmed by the Senate.

First, he does not have experience in arms control at all. He has never served in an arms control position. He has never been part of negotiating groups involved in arms control talks. He has not even written very much about the arms control subject. But he has expressed disdain for arms control and for those who promote it.

I will relate a couple of those statements. He says:

> America rejects the illusionary protections of unenforceable treaties.

With respect to the Comprehensive Nuclear Test-Ban Treaty, the CTBT, that we debated in the Senate and defeated, regrettably, nearly 2 years ago, he says the supporters of the Comprehensive Nuclear Test-Ban Treaty are ''timid and neo-pacifists.''