

who may read the CONGRESSIONAL RECORD of the importance of renewing our efforts, in a wealthy country with a gross national product of \$11 trillion and a Federal budget of \$2.4 trillion, that we could do better than \$28 billion for this very important subject.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Mr. President, I ask unanimous consent that the pending matters be set aside and I be allowed to speak 10 minutes on another matter, and that the 10 minutes count against my hour under the cloture rules.

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

INDIVIDUALS WITH DISABILITIES EDUCATION ACT

Mr. DAYTON. Mr. President, on another matter, I am rising to support the conference report that is being proposed for the Individuals with Disabilities Education Act. I support this legislation. I commend the conferees for their efforts to streamline, make less bureaucratic and less time-consuming, the current IDEA legislation and its administration.

In Minnesota, my home State, special education teachers—in fact, some of our most experienced special education teachers—are leaving that field, leaving special education classrooms, because of the bureaucratic burdens, the time-consuming paperwork.

They lament the time they cannot spend in those classrooms, the time lost to working directly with schoolchildren, in order to have to comply with all of the State, Federal, and local school district reporting requirements.

Those reporting requirements are mostly well intended, and one layer of them is mostly necessary and appropriate. However, the second and the third layers of bureaucracy have become duplicative, redundant, excessive, and oppressive.

Sadly, previous attempts to “reform” this bureaucratic overload have resulted, according to many of the teachers in Minnesota, in more, not less, reporting requirements, more forms, more time required away from their classrooms and from their students. No one benefits from that bureaucratic overload—not the special education students, their families, the teachers, or the taxpayers.

Like too many other well-intended programs, we try to micromanage the process, rather than analyze the results. We tell educators, or other experts in their fields, how they ought to do their jobs, rather than telling them to do their jobs as efficiently and effectively as possible, and then report to us and to our constituents their progress—in this case, improving the educational attainments and ability of their students, and what they need from us to do their jobs even more effectively.

When IDEA was enacted back in 1975, there was opposition to it from some States and school districts and from some schools. But now, in my State,

schools and teachers are committed to doing special education as well as possible. We need to get out of the way and let them do it. So I hope this legislation will be a step in that direction—better yet, two or three steps in that direction.

Something else we should do, though—and we should have done it long ago, and certainly have done it during the last 4 years I have been here—is fully fund the Federal commitment to IDEA, to fulfill a promise Congress made 29 years ago—29 years ago, when it passed the special education mandate. Congress back then promised the States, promised local school districts and, most important, promised the children and parents of America that they would pay for 40 percent of the cost of special education. When I arrived here 4 years ago, that percentage was only 13 percent, less than one-third of the amount promised 25 years before. To his credit, President Bush has proposed in each fiscal year an increase in the amount of Federal funding for special education. To our credit, we have passed those increases, and even somewhat more, so that this year the Federal funding for special education totals 19 percent of total spending nationwide, which is an improvement, but is still less than half of what was promised 29 years ago.

That broken promise by the Federal Government cost my State of Minnesota nearly \$200 million this year. It has cost every other State special education funding. I am, frankly, mystified at why my five pieces of legislation—five times I have attempted to increase the Federal share of special education to that promised 40-percent level—have been defeated every time in the Senate. I am mystified—because I cannot believe that most other States and most school districts in America could not use that additional special education funding. In schools in Minnesota, the underfunding of the Federal share of special education results in local school districts having to make up those shortfalls either out of funding for other school programs for students, or by increasing local property taxes, because states and schools are being mandated by us to provide special education services. They are subject to lawsuits if they don't. But we are not providing them with the money to carry out that mandate.

This bill before us would not fully fund the Federal share for special education until the year 2011. Even then, that funding level is not assured. It may not be enough. It is not guaranteed. It is not made a requirement. The appropriations still have to come each year.

So we have, once again, evidence that we lack the proper priorities. We propose and pass tax cuts for the wealthiest Americans, and the President proposes to make them permanent. Some colleagues propose eliminating the estate tax, which affects 2 percent of the people in America, by 2010, and to

make that permanent starting in 2011. While some call that the death tax, special education is a life commitment, a lifesaving commitment. Yet, we will not make that lifesaving commitment to the schoolchildren of America.

I will try again next year, and I will keep on trying with my legislation to fully fund the Federal share of special education, which should be well within our reach financially. It is the right thing to do, and it is the necessary and moral thing to do, and it would serve well the interests of this Nation in the years ahead. I regret that it is not part of this conference report coming before us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. What is the parliamentary situation?

The PRESIDING OFFICER. The Senate is under cloture on the conference report to H.R. 1047.

Mr. LEAHY. I thank the Chair.

#### TRIBUTES TO RETIRING SENATORS

TOM DASCHLE

Mr. LEAHY. Mr. President, when the Senate concludes its business in the coming days, the congressional career of a remarkable man will come to an end. After 26 years of representing South Dakotans as their voice in Washington, Senator DASCHLE will be leaving the Senate.

His story is a classic one. As a young man from Aberdeen, SD, TOM DASCHLE graduated from South Dakota State University and immediately began 3 years of service in the Air Force of the United States. After his service, he got an early introduction to Washington as he went to work for Senator Abourezk, eventually returning to South Dakota to work out of the Senator's state offices.

TOM was elected to Congress in 1978 and went on to serve four terms in the House of Representatives before being elected in 1986 to the Senate.

After the resignation of George Mitchell in 1994, Senator DASCHLE won a very tight race for minority leader. I was proud to have supported him at that time. 1994 was a difficult year for our party and we had some serious soul searching to do. TOM displayed the strong leadership that was necessary to take Democrats in the Senate forward. That is why, after that first tight election for leader, he was reelected unanimously as leader each time thereafter. He has always been a man who radiates optimism and hope, making him an excellent face for our party.

I have known TOM since he first came to this body in 1986. I closely followed his Senate race against James Abdnor, and I was impressed by him. A few days after TOM won that race, he and his wife Linda joined my family in Vermont for Thanksgiving dinner. When they came to the farm, my mother said to me, “That is the nicest

young man I ever met." Well, she was right. TOM is a man of deep resolve and strong character.

The Nation saw that character exhibited in the days following September 11. Senator DASCHLE showed the country the importance of setting labels aside when he publicly embraced President Bush. In the face of that terrible tragedy, America united behind our leadership.

Only a few short weeks later, Senator DASCHLE and I were both targets of anthrax attacks—some of which killed several people—in letters addressed to the two of us. I know that the attacks brought home the reality of terrorism to both of us, but also to the Senate community as a whole.

In the ensuing years, Senator DASCHLE continued to show resolute leadership in the Senate, routinely reaching across the aisle even when those on the other side of the aisle were at their most partisan.

On more than a few occasions, Senator DASCHLE and I have joined together to work on a variety of national legislative efforts. Together, we advocated for expanded benefits for members of the National Guard and Reserve. Senator DASCHLE has shown courage and resolve in holding the line against the President's most objectionable judicial nominations. We worked together on tort reform, combating corporate crime, and efforts to help off-duty police protect Americans. Those are just a few of the initiatives on which we collaborated.

But during that time, he has also been a strong voice for South Dakota on those issues important to his constituents. He has fought for improved health and education for Indians. He has led efforts to expand health services in rural areas and to prevent companies from canceling retiree benefits without notice. He is well known as a champion for ranchers and farmers in South Dakota. In fact, he made sure their voices were always heard. He worked to ensure they had drought aid, but also he worked to do what a true South Dakotan would do: He wanted to make sure they could compete on a level playing field.

Despite a well-run campaign and putting forth his best effort, Senator DASCHLE was not reelected to the Senate this fall. The morning after election day, he gave a speech before his supporters in Sioux Falls. He finished that speech by recalling two memories. The first was of a magnificent Washington skyline sunset he witnessed one fall afternoon leaving his office in the Capitol. The second was watching the Sun rise at Mount Rushmore with his family, and the warm, sweet optimistic feeling inspired by that sunrise. TOM said that, seeing both, he likes sunrises better. I agree. For the past 18 years with each daily sunrise, he sought to bring hope and optimism to this body. He has worked to better his State and his country, to ensure our children and grandchildren have a brighter world in

which to live. He is a remarkable friend and colleague, and I thank him for his service to this institution.

If I can be very personal, in my 30 years in the Senate, I have not known a more honest and more decent Senator than TOM DASCHLE. I believe that part of our Senate fabric and our Senate conscience leaves with this special person.

Mr. President, I see others seeking recognition. I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, in a few minutes Senator COLEMAN will offer a resolution. I join Senators COLEMAN, KOHL, and DAYTON in supporting this resolution. By taking this up and passing it at this time, we signal that congressional concern about the deplorable human rights situation in Laos will be intense and ongoing.

As I have discussed today, I hear regular reports from constituents distraught about the conditions faced by their relatives in Laos. This is especially wrenching—and this is the point we have been trying to make all day—when we remember that the Hmong communities reportedly targeted for abuse are the same communities that worked side by side with U.S. forces during the Vietnam war. We simply cannot ignore the dismal human rights situation in Laos and be the country and the people we wish to be.

Just a word on the language of the resolution which Senator COLEMAN will describe in a moment. This resolution expresses the Senate's hope—hope—that a more open society will develop in Laos in the wake of the extension of NTR. Certainly this is my hope, although I, frankly, really see no reason to believe it will happen.

But the reality is that Laos will get NTR. The votes are there, and while I may disagree with the wisdom of colleagues taking that step, we, of course, all do hope for change in Laos—a greater respect for basic human rights, an end to repression aimed at ethnic minorities, such as the Hmong, and religious minorities, such as the Christian community, and for access to vulnerable populations.

I appreciate the efforts of my colleagues who join me in sponsoring this resolution and the efforts of the leadership on both sides, the Senate Foreign Relations Committee, and the Finance Committee.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. COLEMAN. Mr. President, first, I thank Senator FEINGOLD for his leadership on this issue, for his perseverance, persistence and being on the floor, as we discuss the miscellaneous tariff provisions, to make sure that, before we finish our work, we put forth a resolution reflecting the sense of this body that there are problems with human rights in Laos. They have to be recognized. That is what this resolution does.

I thank Senator FEINGOLD. I thank my colleague, Senator DAYTON, who has been working with us, and Senator KOHL.

Mr. President, I ask unanimous consent that following the adoption of the resolution relating to Laotian human rights, which I will send to the desk in a moment, that the pending conference report to accompany H.R. 1047 be agreed to and the motion to reconsider be laid upon the table.

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

#### CONDEMNING HUMAN RIGHTS ABUSES IN LAOS

Mr. COLEMAN. Mr. President, I now ask unanimous consent that the Senate proceed to the resolution, which is at the desk.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 475) to condemn human rights abuses in Laos.

There being no objection, the Senate proceeded to consider the resolution.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the resolution be agreed to, that the preamble be agreed to, that the motions to reconsider be laid upon the table, and that any statements relating to this resolution be printed in the RECORD.

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

The resolution (S. Res. 475) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 475

Whereas the Lao People's Democratic Republic is an authoritarian, Communist, one-party state;

Whereas the Government of Laos has a poor human rights record, particularly with regard to its treatment of minorities;

Whereas the United States Central Intelligence Agency trained and armed tens of thousands of Hmong guerrillas to disrupt Viet Cong supply lines and rescue downed pilots during the Vietnam war;

Whereas in 1975, the Kingdom of Laos was overthrown by the Communist Pathet Lao regime, and tens of thousands of Laotians, including the Hmong, were killed or died at the hands of Communist forces while attempting to flee the Lao Communist regime, and many others perished in reeducation and labor camps;

Whereas tens of thousands of Hmong became refugees, eventually resettling in the United States, where they now reside as American citizens and lead constructive lives as members of our communities;

Whereas remnants of former Hmong insurgent groups and their families who once fought with the United States and the Royal Lao Government still remain in remote areas of Laos, including Xaisomboun Special Zone and the Luang Prabang Province;

Whereas in August 2003 the United Nations Committee to Eliminate Racial Discrimination strongly criticized the Lao People's Democratic Republic for failing to honor its obligations, expressed its grave concerns regarding reports of human rights violations,