

the best colleges in the world—the idea of letting money follow students to the institution of their choice.

Over the next several weeks, I will be discussing this with individual senators. I have not prepared a piece of legislation yet because I don't want to stand up and say: here it is, take it or leave it. Let's say one team says no choice and one team says no money, then we are back where we were. I am looking for ways to advance the debate.

I don't believe we are going to be spending much more money through the federal government in the same way we are doing it today. A lot of senators, and I am one of them, do not want to spend more federal dollars through programs that have lots of federal controls. We have seen the limit of command and control from Washington, D.C., with No Child Left Behind. That program will work. But I don't believe we can expect to give many more orders from Washington to make schools in Schenectady, Nashville, and Anniston, Alabama and Sacramento, better. That has to happen in local communities.

The right strategy is significantly new federal dollars with fewer federal strings and more parental say about how those dollars are spent. This does not have to be a Republican versus Democrat idea. I am not the author of this idea.

In 1947, the G.I. bill for Veterans was enacted. Since that time, federal dollars have followed students to the colleges of their choice. Today, 60 percent of America's college students have a federal grant or loan that follows them to the college of their choice.

When I was president of the University of Tennessee, it never occurred to me to say to the Congress: I hope you do not appropriate any money for children to go to Howard University or Notre Dame or Brigham Young or Vanderbilt or Morehouse or the University of Alabama. We give people choices. Or put it another way, in my neck of the woods, what if we told everyone where they had to go to college? What if we said, Sen. Sessions, you have to go to the University of Tennessee. We said to young Lamar Alexander: You have to go to University of Alabama. Civil wars have been fought over such things.

That is exactly what we do in K-12. We give people choice and have created the best colleges in the world. We give them no choices, and we have schools that we wish were better. So the idea would be to try what worked for colleges here in K-12.

I said I was not the only one to think of this. There was the G.I. bill for Veterans—that was bipartisan—after World War II; maybe the best piece of social legislation we ever passed in the history of our country.

In 1968, Ted Sizer, perhaps the most renowned educator in America today, proposed a poor children's Bill of Rights: \$5,000 for every poor child to go to any school of his or her choice, an LBJ power-of-the-people, liberal, Democratic idea at the time. In 1970, President Nixon proposed, basically, giving grants to poor children to choose among all schools. The man who wrote that speech for President Nixon was a man named Pat Moynihan. He was a U.S. Senator. In 1979, he and Sen. Ribicoff, two Democrats, introduced essentially exactly the idea I am proposing today. In fact, in 1979 Sens. Ribicoff and Moynihan proposed amending the Federal Pell Grant Act and simply applying it to elementary and secondary students.

At that time, when the Pell grant was \$200 to \$1,800, a 3rd grader could get a Pell grant, or if you were a high school student and you were poor, you could get a Pell grant.

Senator Moynihan said to this body in 1979: "Precisely the same reason ought to apply to elementary and secondary schooling—if, that

is, we are serious about educational and pluralism and providing educational choice to low- and middle-income families similar to those routinely available to upper income families."

This was the impulse behind the basic educational opportunity grants program as enacted by Congress in 1972. He was talking about Pell grants. It was the impulse by the presidential message to Congress which I drafted in 1970 which proposed such a program. It is the impulse to provide equality of educational opportunity to every American, and it is as legitimate and important an impulse at the primary and secondary school level as it is at the college level.

I am going to strongly urge my colleagues not to make a reflexive reaction to this idea because, on the one hand, it has too much money, or on the other hand, it has some choice. Think back over our history and think of our future and realize we have the best colleges and we do not have the best schools. Why don't we use the formula that created the best colleges to help create the best schools?

I ask unanimous consent to have printed in the Congressional Record at the conclusion of my remarks Sen. Moynihan's statement in the Senate in 1980, and following Sen. Moynihan's remarks, an article which I wrote for the publication Education Next, which is being published this week, entitled "Putting Parents in Charge."

This article goes into some detail about the Pell Grants for Kids proposal. I look forward over the next several weeks to working with my colleagues, accepting their ideas and suggestions about how we improve our schools.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk (John Merlino) proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CARPER). Without objection, it is so ordered.

The Senator from West Virginia is recognized.

FIFTY YEARS IN THE SENATE

Mr. BYRD. Mr. President, in my multivolume history of the Senate, I noted that the Senate is "the anchor of our republic." It is, I wrote, "the morning and evening star in the American constitutional constellation." Today, I recall those words because I am even more convinced that the Senate still stands as the great forum of constitutional American liberty.

For five decades—that is a pretty long time—I have seen this Senate weather the storms of adversity, withstand the barbs of cynics and the attacks of critics as it provided continuous stability and strength to our great country during periods of strife and uncertainty. The Senate has served our country so well because great and courageous Senators have always been willing to stay the course through the continuum and to keep the faith. The Senate will continue to do so as long as there are Members of the Senate who understand the Senate's constitutional

role and who zealously guard the Senate's powers.

It has been said that this institution—meaning the Senate—has a life of its own. That may be true. I also know from my 50 years of service in this Chamber that the life of the Senate is rooted in the character of the men and the women who serve in the Senate. During my five decades of service here, I have had the high honor and the great privilege of serving with some of the finest and a few of the greatest Senators in history. This distinguished list includes my mentors, Senator Richard Brevard Russell, Senator Lyndon Baines Johnson, Senator John Calhoun Stennis, and Senator Mike Mansfield. It includes the great Margaret K. Smith, who never for a moment hesitated to follow her conscience. It includes Barry Goldwater, and it includes Phil Gramm, both of whom were spear carriers for the Reagan revolution. It includes those giants of the Senate, Howard Baker and Mark Hatfield, both of whom exemplified stunning political courage. And of course any list of greats must include our own beloved TED KENNEDY, who went from being a bitter adversary in the beginning of my years to my dearest friend. It has been an honor and a great privilege to have served with these Senators and with so many others who have contributed and who still contribute to the Senate to make it the great institution it has become. I hope and I pray to the Good Lord that in my 50 years here, I have also made a small but positive contribution, and I pray that I will continue to do so.

Because of the good people of West Virginia, my half century—my 50 years—of service in this Chamber has allowed the foster son of an impoverished coal miner from the hills of southern West Virginia—and the wife of that coal miner to have a son—to have the opportunity to walk with Kings, to meet with Prime Ministers, and to debate with Presidents. I have had the privilege not only to witness but also to participate in much of America's history. From the beginning and the apex of the Cold War to the collapse of the Soviet Union, from my opposition to the 1964 Civil Rights Act to my role in securing the funds for the building of the memorial to Martin Luther King, from my support for the war in Vietnam to my opposition to Mr. Bush's war with Iraq, I have served here, and I have loved every second of every blessed minute of it.

My half century of service in the great Senate has also allowed me to experience profound changes in this institution. Unfortunately, not all of them have been for the best.

During my tenure, especially in recent years, this Chamber has become bitterly partisan. All of us already know this, so I will not belabor the point other than to say we should do better. I will point out that we should do something about the vitriol before it destroys the Senate and the people's faith in the Senate.

If anyone thinks I am exaggerating, I will give just one example. The filibuster is a prime guarantee of the principle of minority rights in the Senate. The filibuster is a device by which a single Senator can bring the Senate to a halt if that Senator believes his cause is just. But our partisan warfare has often transformed this unique, fundamental Senate tool into a political weapon which has been abused. As a result, there have lately been efforts to abolish it. If this should ever happen, a vital and historic protection of the liberties of the American people will be lost, and the Senate will cease to function as the one institution that has provided protection for the views and the prerogatives of a minority.

I lament the ever-increasing costs of running for a Senate seat. In 1958, Jennings Randolph and I spent a combined \$50,000 to win the two Senate seats in West Virginia. Today, Senators can expect to spend about \$7 million. Too much of a lawmaker's time, too much of a lawmaker's energy is now consumed in raising money for the next election or to pay off the last one.

I lament that too many legislators in both parties continue to regard the Chief Executive in a roll much more elevated than the Framers of the Constitution ever intended. The Framers of the Constitution did not envision the Office of the President of the United States as having the attributes of royalty. We as legislators have a responsibility to work with the Chief Executive, but it was intended for this to be a two-way street, not a one-way street. The Senate must again rise and be the coequal branch of Government which the Constitution of the United States intended it to be.

I lament the decline of the thoroughness of Senate committee hearings. In its classic study, "Congressional Government," Woodrow Wilson pointed out that the "informing function of Congress is its most important function." This was revealed in 1973 when, after 8 days of hearings and after hours upon hours of questioning, L. Patrick Gray, President Nixon's nominee to be Director of the FBI, revealed that White House counselor John Dean had lied—lied—lied—to FBI investigators, thus beginning the unraveling of the Watergate coverup. Today, we have the knowledge this could not happen with the time restrictions that are in place on the Senate's hearings.

I am pleased to say that during my half century in the Senate, there have also been positive changes in the Senate. I will mention a few. The first is the Senate has become more open and the Senate has become more constituent friendly. This was highlighted in 1986 when television cameras were finally installed and the American people all across this country could watch their Senators debate the issues of the day on C-SPAN. I am proud to have been a part—though a small part—but a part of that innovation.

During my tenure, the Senate has become more open and it has become

more diverse. When I came here in 1959, there was only one—one female Senator. In the 111th Congress, there are 17 women in the Senate. In the 50 years prior to my service, not a single—not one African American was elected to the Senate. During my 50 years here, three African Americans have been elected to the Senate. This is a small number, but one of those three has now been elected to the highest office in the land—President of the United States. So, my fellow colleagues, we have come a very, very, very long way.

Let me conclude my remarks by simply acknowledging it has been a wonderful 50 years serving in this "great forum of constitutional American liberty." I only wish my darling wife, who now sings in the heavenly choir above, were here today to say with me that I look forward—yes, look forward to the next 50 years. Amen. Amen.

That concludes my remarks.

I yield the floor and I say good night to the Chair and all the people here.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll. The legislative clerk proceeded to call the roll.

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

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

MINNESOTA SENATE RACE

Mr. McCONNELL. Mr. President, earlier today there were some comments about the Minnesota Senate race that I would like to briefly address. The only people who have pronounced the Minnesota Senate race over are Washington Democrats and the candidate who is the current custodian of the most votes. The people of Minnesota certainly do not believe the Minnesota Senate race is over. The Minneapolis Star Tribune, which never could be confused for a conservative publication, wrote an editorial in their paper today entitled, "Court Review is Key in Senate Recount."

Writing about yesterday's Canvassing Board findings, the editorial says—and again, this is in today's Minneapolis Star Tribune—the editorial today says:

As Minnesotans are learning, that determination is not the same as declaring a winner in this amazingly close race.

It went on to say:

Both Franken and Coleman should want court-ordered answers to questions that the Canvassing Board could not answer.

The winner of this contest deserves the legitimacy that would come with a court's politically independent finding that he got more votes than his opponent.

The bottom line is this: The Senate race in Minnesota will be determined by Minnesotans, not here in the Senate.

OPENING OF THE 111TH CONGRESS

Mr. McCONNELL. Mr. President, the opening of a new Congress is always an

important moment in the life of our Nation. Every time a gavel falls on a new legislative term, we are reminded of the grandeur of the document we are sworn to uphold. We are grateful to the citizens of our respective States—in my case the people of Kentucky—who give us the opportunity to serve. We are thankful once again that the U.S. Constitution has endured to guarantee the freedom and the prosperity of so many for so long.

The growth of our Nation over the years is one of the most remarkable feats of man, and it was far from inevitable. When Congress first organized under the Constitution, the United States consisted of 11 States and 3 million citizens. Today, more people than that live in Kentucky alone. Yet despite a bloody Civil War, the arrival of millions of immigrants, economic collapse, World Wars, social unrest, and the long-delayed realization of America's original promise of equality for all, we have come together as a body and as a nation. We have not just endured these things, we have flourished, and that is well worth remembering and celebrating as the 111th Congress convenes.

As we meet in January of 2009, America faces many serious challenges. None is more urgent than our troubled economy. President-elect Obama was one of those who recognized the gravity of the current troubles early on. He reassured many by fielding a solid team of economic advisers. He agrees with Republicans that we should put more money in the pockets of middle-class American families by cutting their taxes, and he has proposed working with Republicans to create jobs and to encourage long-term economic stability with a massive domestic spending bill the details of which Members of Congress and the American people are increasingly eager to see.

After a long and rough campaign season, it is encouraging for many Americans to see that the two parties in Washington are in broad agreement about something so important to their daily lives. And Republicans will work with President-elect Obama to make sure that as we consider this legislation the taxpayer is not taken for a ride.

All of us agree the economy needs help. We are concerned and taxpayers are concerned. But if we are going to appropriate an unprecedented amount of money from the Treasury for this spending bill, it is absolutely essential that we determine up front whether the spending is going to be wasteful or wise.

Specifically, the American people should have at least a week, and it looks as if we will have more than that, to see what this enormous spending plan includes. President Clinton proposed a \$16 billion stimulus package in his first year in office. Congress, back in 1993, rejected it for being too expensive. Now Democrats in Congress are proposing a stimulus that would