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## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, May 7, 2001, at 2 p.m.

## Senate

FRIDAY, MAY 4, 2001

The Senate met at 10 a.m. and was called to order by the Honorable JUDD GREGG, a Senator from the State of New Hampshire.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Father Paul Lavin, of St. Joseph's on Capitol Hill.

### PRAYER

The guest Chaplain, Father Paul Lavin, offered the following prayer:

In the book of Tobit we hear:  
"Thank God! Give Him the praise and the glory. Before all living, acknowledge the many good things He has done for you, by blessing and extolling His name in song. Before all men, honor and proclaim God's deeds, and do not be slack in praising Him. A king's secret it is prudent to keep, but the works of God are to be declared and made known. Praise them with due honor. Do good, and evil will not find its way to you. Prayer and fasting are good, but better than either is almsgiving accompanied by righteousness. A little with righteousness is better than abundance with wickedness."

Let us pray:

Almighty God, we give You thanks for the many and varied ways You have blessed the men and women who serve in the Senate. We ask now Lord, that they may do Your will in all things and so remain close to You. Lord, Your presence is found where unity and love prevail; grant that they may strive to work together in harmony and peace.

We acknowledge that God is the strength and protector of His people; grant Lord to the Members of the Senate the strength and courage they need

to serve the people of the United States.

Grant this through Christ our Lord. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JUDD GREGG 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 4, 2001.

To the Senate:

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

STROM THURMOND,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

### SCHEDULE

Mr. JEFFORDS. Mr. President, today the Senate will resume consideration of S. 1, the education bill. The first amendment will be an amendment offered by Senator CRAIG regarding ESEA funding. That amendment will be followed by an amendment by Senator KENNEDY or his designee. Any votes ordered on those amendments will be stacked to occur on Tuesday morning. Further amendments to the education bill may be offered during today's session. The Senate will conclude action on the budget conference report and the Bolton nomination during next week's session of the Senate.

I thank my colleagues for their attention.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, may I ask the Senator from Idaho if I may speak for 3 minutes before he speaks.

Mr. CRAIG. Mr. President, I do not object to that.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. CONRAD. This will come off leader time, Mr. President.

### EDUCATION AND THE BUDGET

Mr. CONRAD. Mr. President, we are here discussing the education bill. Yesterday, the Senate passed a measure to

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



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increase funding for education over what is in the baseline by \$150 billion. I supported that. But we have an incredible disconnect going on between what we are doing on the floor of the Senate and what we are about to do in the budget resolution. The budget resolution that has come out of the conference committee has no new money for education—none, zero. So we are all out here talking about education being the top priority—and, indeed, it is—but we have a budget resolution coming out of the conference committee that gives no priority to education—none, not one thin dime of additional resources to education. It is really an incredible disconnect—the difference between the rhetoric on the floor and the reality of this budget resolution.

The new President of the United States proposed a very modest increase in education over the so-called baseline. He proposed \$13 billion of new money for education over the 10-year period. In the Democratic alternative budget, we proposed \$139 billion of new money for education over the 10-year period. What passed on the floor of the Senate when we considered the budget resolution was an increase of \$308 billion. We passed the Harkin amendment, which reduced the tax cut by \$450 billion and allocated half to education and half to debt reduction. The Harkin amendment added \$225 billion to education over the next 10 years. It went to conference committee to be worked out as to the differences between the House and Senate, and they came back with nothing, zero, no new money.

We passed on the floor of the Senate the Jeffords-Breaux amendment which added \$70 billion to fund IDEA. That went to the conference committee and came back with zero—a big nothing. So there is no new money in this budget for education, and our colleagues ought to be aware of it as we consider the budget next week.

I thank the Chair and yield the floor.

#### BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1.

The assistant legislative clerk read as follows:

A bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

The Senate resumed consideration of the bill.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

AMENDMENT NO. 372 TO AMENDMENT NO. 358

Mr. CRAIG. Mr. President, I send an amendment to the desk.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Idaho (Mr. CRAIG) proposes an amendment numbered 372.

Mr. CRAIG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment reads as follows:

(Purpose: To tie funding under the Elementary and Secondary Education Act of 1965 to improved student performance)

On page 29, between lines 14 and 15, insert the following:

#### "SEC. 16. FUNDING RULE.

"(a) FINDINGS.—Congress makes the following findings:

"(1) Adjusted for inflation, the amount of money Federal, State, and local governments spend per public school student has nearly doubled over the past 30 years.

"(2) This doubling of real, per-pupil spending has had no effect on test scores.

"(3) In 1965, the Federal Government enacted title I of the Elementary and Secondary Education Act of 1965 to eradicate the achievement gap between economically disadvantaged students and their more advantaged peers.

"(4) In 2001 that achievement gap persists, unaffected by the \$120,000,000,000 the Federal Government has spent on such title I.

"(5) In 1996 the Department of Education reported that 'The progress of [part A of title I] participants on standardized tests and on criterion-referenced tests was no better than that of nonparticipants with similar backgrounds and prior achievement'.

"(b) FUNDING RULE.—Notwithstanding any other provision of this Act, a State shall be eligible for an increase in the amount of funds made available under this Act from one fiscal year to the next fiscal year (after adjusting for increases in the Consumer Price Index for All Urban Consumers as published by the Bureau of Labor Statistics) when the State meets the requirements for adequate yearly progress for the State under section 1111(b)(2) for the school year preceding the fiscal year for which the determination is made, except that nothing in this subsection shall be construed to provide funds to a State under this Act for any fiscal year in an amount that is less than the amount of funds provided to the State under this Act for fiscal year 2001."

Mr. CRAIG. Mr. President, I come to the floor this morning to address the very issue my colleague has just talked about, the issue of spending and education. We have offered an amendment to curb the Federal Government's appetite to spend tax dollars. It will ensure that we no longer throw good money after bad programs. It will focus our Nation's educational bureaucracy on what should be its sole purpose: helping students learn.

Over the course of the last several days, we have been debating reauthorization of the Elementary and Secondary Education Act, or ESEA, and in that process we are adding by authorization a phenomenal amount of new money for the purpose of education.

We have heard a great deal in this Chamber about how much we need to spend to improve education for our young people. Every Senator clearly wants to improve the educational system to which we entrust our children's futures. Unlike the past, we are offering some very real reforms this time. But in a continuation of past practices,

we also are offering a tremendous amount of new money.

Let me say very clearly that we have spent an awful lot of money on education in the past, and the record is very clear that money alone does not solve that problem. In fact, the additional money we have added to our educational system over the last 30 years has done nothing to improve education.

Over the past 30 years, the amount of money we have spent to educate our children has doubled; that is even after inflation. In other words, it is real money we're talking about here and a lot of it. It will cost taxpayers twice as much to educate my grandchildren in public schools as it did to educate my children in public schools.

We doubled the amount we spend on each student in the timespan of 30 years. Yet this huge increase in spending has brought us, as I just mentioned, nothing.

This is a chart that demonstrates that clearly. In spite of the fact that per-student spending has doubled and continues to climb, student achievement has stagnated. This is a line that demonstrates that major increase in spending over the timeframe I have mentioned through the seventies, the eighties, and the nineties. Look at the reading scores of the national assessment of 17-year-olds, 13-year-olds, and 9-year-olds. Somehow it does not seem to parallel the amount of money we have spent.

We doubled the resources, and yet somehow the system did not improve, and our children were shortchanged. Today's schoolchildren are entering an educational system that is no better than that in which their parents were educated. In fact, there are measurements to indicate it is worse.

This next chart shows that not only have reading scores stagnated over that 30-year period, but doubling education spending likewise has brought us no improvement in math and no improvement in science. Yet our young people, in a very integrated world where demand for math and science skills is higher than ever, must compete with students from around the world for jobs that in their very character are international. Yet our educational system, despite all the money we've poured into it, has produced stagnation in math and science achievement for the last 30 years.

The law we concern ourselves with today was passed in 1965. Its primary purpose is to close the achievement gap between poor students and nonpoor students. Since 1965, we have devoted some \$120 billion to this goal. Yet as this chart demonstrates, \$120 billion later, poor kids still lag behind in reading. In other words, poor kids are no better off today than they were 30 years ago. We have achieved nothing for them. Most important, we have allowed them not to achieve, and the taxpayers of this country have spent \$120 billion in a failed attempt to close that gap.

Five years ago, the Department of Education conducted a review of this program for disadvantaged students known as title I and found:

The progress of [title I, part A] participants on standardized tests and on criterion-referenced tests was no better than that of nonparticipants with similar backgrounds and prior achievement.

When tested, no difference could be found between those inside title I and those outside title I. I want to repeat that. The progress of the participants was no better inside the program than outside the program. In other words, we spent a lot of money on a program that did nothing to improve the situation of these poor children. One hundred twenty billion dollars and nothing to show for it.

How did we reward the system's failure? Of course, with more money. We allowed the establishment to design the system, and we fed the system money hoping that young people would improve, hoping that their scores in reading, math, and science would improve, and it did not happen.

Yes, children have been left behind for a good number of years. We have struggled mightily. Certainly the chairman and the Presiding Officer have struggled mightily to try to reform the primary and secondary education systems of our country. The establishment has fought them openly and aggressively.

Today we have some reform, but we are also putting in a phenomenal amount of new money through authorization with that reform. The question is, What will it yield?

It has been said that the definition of insanity is doing the same thing over and over and just hoping there will be a different result. That is exactly what we have been doing for 30 years.

This is a prescription for mediocrity.

The amendment I offer today will change the way the Federal Government deals with schools that fail to improve. It is a moderate amendment and, I believe, a compassionate amendment.

Decade after decade, as I have demonstrated, at least for the last three decades, schools have failed to improve, and decade after decade, with a wink and a smile, we tell the system: Don't worry about how many children you have left behind, we are still going to give you more money.

The amendment I offer today will stop handing out rewards for leaving children behind. Under this amendment, in order to receive a funding increase under this act, States would be required to make adequate yearly progress in boosting student achievement, as defined in the bipartisan agreement reached between my colleagues from Vermont and Massachusetts, the chairman of the committee and the ranking member.

This is a moderate measure. It will not cut educational spending. It guarantees that a State's funding level cannot fall below its current level but that

a State that does not improve their children's achievement would forgo any reward from the Federal Government until they do.

This amendment even allows the act to adjust for inflation because if we did not, that would be a real cut.

What we have to say to the educational establishment of this country is: If you do not create a system that allows our children to achieve at ever improving rates, then we cannot reward you with more of the taxpayers' money.

Public education is critically important, and a strong public education system in our country has been the foundation of our Republic and, without question, the strength of our Republic.

This is a moderate and compassionate measure, and I believe it is necessary. We cannot reauthorize this act and say that without improvement, the taxpayers of this country will continue to reward the system.

Taxpayers historically have been very generous when it comes to education. Funding at the local and State level over the last several years across the country has rapidly increased. But it is also time to say, as we do with this amendment and with the reauthorization of ESEA, improvement is now a must; it must be measured, and if you do improve, we will reward you. But if you do not, we will no longer use taxpayers' hard earned dollars to buy mediocrity for the young people of America.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

#### BUDGET CONSIDERATION

Mr. CONRAD. Mr. President, next week we will be considering the budget of the United States. We have gone through sort of the "Perils of Pauline" here crafting the budget for the country. After much talk of bipartisanship, the other side locked out the Democrats from the conference committee. That is the meeting between the House and the Senate budget members to work out the differences between the two sides.

We were invited to the first meeting and told we would not be invited back, that the Republican majority was going to write this budget all on their own, which they have done. So much for bipartisanship.

That is unfortunate. I think we could have crafted a much better result if we would have had a chance to work together. We really had an unprecedented year working on the budget in which there was no markup in the Budget Committee, and now a conference committee to work out the differences between the House version of the budget and the Senate version of the budget completely excluding Democrats from the consideration.

As a result, I think we are going to get an unbalanced budget, a budget

that threatens to put us back into deficit, back into debt, a budget that does not reflect the values of the American people, that does not put a priority on education when everybody is giving speeches about the critical importance of education.

I grew up in a family in which my parents were killed when I was young. My grandparents raised me. My grandmother was a schoolteacher. In our family, education was the priority. It was not just the first priority; it was the second priority; it was the third priority because my grandparents believed that education was what unlocked opportunity for every child. They just did not talk about it; they lived it.

My grandparents, who were successful people but not wealthy by any means, set aside a fund so every one of my brothers and cousins could go on to higher education. As a result, everyone in our family got an advanced degree. There were 13 cousins in my immediate family and everyone got an advanced degree—from a middle-class family. That was because my grandparents truly believed in the value of education. They were right. Those are the right values. Those are American values.

We hear a lot of Senate speeches about education being the priority. When they go to the back room and write a budget, all the speeches are right out the window. It is all hot air. It is all fluff. It does not mean a thing. It is all words—words and not deeds.

That is not right. In fact, it is misleading people to stand up and say they are for education and then go in a back room and cut out every penny of money to strengthen education. They ought to be ashamed of themselves.

We are going to have a real chance to compare votes on education in this Chamber with votes on the budget, and we are going to see how they match up. We are going to see who is being straight with the people they represent and who is not.

Here is what we have learned of this conference report. This is what the President's budget was. This is the Democratic alternative. This is what the Senate passed. This is what is coming out of the conference committee. It is very interesting.

The tax cut has gone up from what was passed in the Senate. But when you look at education—this is the education line. We passed \$308 billion of funding for education, new money for education. What came out of the conference committee? Zero. No money.

It is not just there that this budget fails us. On the environment, the President proposed a huge cut. What came out of the Senate was a substantial cut but not as big as the President's. What has come out of the conference committee? Zero. No new money for protecting the environment.

It does not end there. On strengthening Social Security—to me, this is, along with education, the most valuable because we know—there is not a

Senator who does not know we are headed for a crisis when the baby boomers retire.

We know that. This is not a projection. The baby boomers have been born. They are alive. They are going to retire. And they are going to dramatically increase the draw on the Federal Treasury and the programs of Social Security and Medicare.

The President has a big event at the White House saying he is for strengthening Social Security. Then when you go to match the words with the deeds and you look at the bill coming from the conference committee, do you know what you find that has been a set-aside to strengthen Social Security? Nothing. Zero. No money. It is all words about how education is a priority. It is all words about how strengthening Social Security is a priority because there is no new money for either one—nothing for education and nothing to deal with the long-term debt that is facing this country in Social Security.

I think we probably know, as I reviewed before and as this chart details, what happened in the Senate. In the Senate, we passed the Harkin amendment that provided \$225 billion over 10 years to improve education in America, money that is desperately needed. My colleague from Idaho said money doesn't make a difference. It doesn't in and of itself solve the problem. We all understand that. It takes more than money to improve education. We will have a hard time getting the best people to be teachers in this country if we don't pay them decently.

What is happening all across America is that many of the best teachers are leaving education because they are not being fairly compensated. I have a cousin who was a teacher on an Indian reservation in North Dakota—a wonderful teacher, absolutely superb. But she was being paid so little money she really couldn't make ends meet. So she left to go to the private sector, started a store and became a small business person. That is terrific. But education lost a star performer.

It is just not here, but across America people are leaving education for higher paying jobs somewhere else, and we are losing some of the best.

We can either say it doesn't matter or we can respond. We have schools all across America that were built in the 1950s that are not prepared for the high-tech world of today. We turned our back on that and said: Well, tough luck, kids. You are not going to be educated for the world that is to come. We are going to leave you out of the high-technology workforce.

That is a mistake. We know that classrooms have too many students in them. We know that every objective standard has indicated that if you have smaller classrooms and fewer students, the individual student who gets more attention does better. It costs money.

Here is what we did in the Senate. We said we are going to put the money

where our mouth is. We are going to put some money into education: \$225 billion. We are going to reduce the tax cut by \$450 billion. We are going to put half of it into education. We are going to put half of it into further debt reduction.

Look at what came out of the conference committee: Zero. They took out every dime of additional money for education. We passed in the Senate the Breaux-Jeffords amendment for IDEA funding. That is the disabilities act. Congress made a promise when it passed the disabilities act that they were going to fund 40 percent of the cost. They did not do it. We said: Let's provide the money to keep the promise. And we did it in the Senate.

It goes to the conference committee, and they come back with a big goose egg.

Why is this being done? I believe it is being done because the overall budget doesn't add up. It doesn't add up. If you include an education initiative, if you include the money that is being asked for by the Defense Department to strengthen America's defense, then you have a budget that doesn't add up. You have a budget at that point that is raiding the Medicare trust fund and the Social Security trust fund. Of course, everybody says they do not want to do that.

Our friends on the other side of the aisle have produced a budget that is kind of a hide-and-seek budget. It hides big chunks of spending that all of us know are going to occur.

For example, there appeared in USA Today on Friday, April 27, "Billions Sought For Arms. Secretary seeks to reduce role of ground troops," talking about the Secretary of Defense.

The story goes on to say, "As Defense Secretary, Donald Rumsfeld, nears the end of a top-to-bottom review of Pentagon, he is expected to seek a large boost in defense spending—\$200 billion to \$300 billion over the next 6 years."

Is that in the budget? Is that big defense buildup in the budget? No. None of it is in the budget. They do not have \$200 billion to \$300 billion of new money in the budget for defense. Why not? Because if they put it in before the tax cut passes, the budget doesn't add up. They are into the Medicare trust fund and the Social Security trust fund.

What is going on here is a giant scam. That is what is happening. It is a giant scam to mislead the American people—pass the tax cut, and then come back to Congress and say: Oh, by the way, we forgot about the money that we need for defense. We need \$200 billion or \$300 billion just for the next 6 years.

Remember, this is a 10-year plan on which we are working. They say they are going to need another \$200 billion to \$300 billion just for the next 6 years, only it is not in the budget that we are going to vote on next week. Not a penny of it is in there. Why? Because, if they put it in, the budget doesn't add up.

That is their problem. As soon as you are honest with people about the true costs of funding defense and of improving education, then you are raiding the Medicare trust fund, the Social Security trust fund, and doing it in a big way. These aren't the only items left out.

Let me conclude on the defense item. This is a story that ran in the Wall Street Journal. This was May 1st. "Pentagon plan sees 42 percent rise in the arms budget."

Is there a 42 percent rise in the budget we are going to vote on next week? No, there is no 42 percent rise. They have not put this money in the budget. They are going to announce the week after next, after we have passed the budget with the big tax cut in it, because they don't dare show the true budget, the true spending, or the true plan until they get their tax cut passed because if they show the true numbers, it doesn't add up. It doesn't come close to adding up.

They are raiding the Medicare trust fund to the tune of \$250 billion. They are raiding the Social Security trust fund to the tune of \$50 billion. That is what is really going on in this town.

It is a hide-and-seek budget. They are going to hide the true effects of this budget until after the tax cut passes. Then they are going to come back to us, and they are going to say: We have to do something more for defense. We have to do something more for education. We have to do something to fix this alternative minimum tax problem.

That is a big one they aren't talking about. The alternative minimum tax today affects about two million taxpayers. The Joint Tax Committee has told us that if we passed the Bush plan, 35 million people are going to be caught up in the alternative minimum tax.

Boy, they are in for a surprise. They thought they were going to get a tax cut. But instead, one in four American taxpayers will be caught up in the alternative minimum tax. They will be paying more. It costs \$300 billion to fix it.

Do you see that anywhere in the budget? It is nowhere in the budget. They don't have a dime in this budget to fix the alternative minimum tax. They don't have a dime for this big defense buildup they are getting ready to announce. They don't have a dime of new money for education. Why? Because, if they did, they would have a budget that doesn't add up. It is right back into deficit. It is right back into the bad old days of deficits and debt and decline.

The harsh reality is, unlike the 1980s, if we go back to deficits and debt now, this is no time to recover, because the baby boomers start to retire in 11 years. Then all of this changes. We go from big surpluses today to massive deficits in that 10-year period.

That is the Comptroller General of the United States warning us of where

we are headed. He says we face a demographic tidal wave that is unlike anything we have ever seen in this country. That is because the baby boomers are such a large group, when they retire, the number of people on Medicare and Social Security double in very short order.

We ought to be setting aside money today to deal with the problem we know is coming tomorrow. This budget does not do it. This budget does not set aside a dime to strengthen Social Security for the long term. There is no money in the budget for that.

In our budget, we propose setting aside \$750 billion to strengthen Social Security for the long term. But the conference committee comes back and there is no money, just as they came back with no new money for education, no money for this big defense buildup they are going to be asking for week after next, no money for area after area that we know is going to be a real cost—no money to fix the alternative minimum tax. The reason is simple and clear: It is only by showing a false budget that they can get it to add up.

If they put the true costs in, if they put in the defense buildup, if they put in the cost of alternative minimum tax reform, if they put in new money for education, then they are heavily raiding the Medicare trust fund, heavily raiding the Social Security trust fund. That is the truth.

This is exactly how we get into trouble in the country: betting on a 10-year forecast that even the people who made the forecast warn us is unlikely to come true. In fact, we have a projection of a \$5.6 trillion surplus over the next 10 years—\$5.6 trillion. But that is just a projection. That money is not in the bank.

In fact, the people who made the forecast said that number only has a 10-percent chance of coming true; a 45-percent chance there will be more money, a 45-percent chance there will be less money.

That forecast was made about 10 weeks ago now. What has happened in the interim? The economy has weakened. We have a jobless report today that suggests quite dramatic weakening in the economy. So do we bet there is going to be more money or less money? I would say all the signs are there is going to be less money. That puts us in grave danger of going back into deficit, going back to the bad old days of raiding every trust fund in sight.

I say to you, the thing that is most wrong about that approach is that in the 1980s we had time to recover. This time, if we get it wrong, there is no time to recover. The baby boomers start retiring in 11 years, and all of these things that have been working in our favor start to turn the other way. There is not a Member of this body who does not know that is true.

I just hope that before we vote on this budget, people will think carefully about the implications, and they will

think carefully about the risks, and they will think carefully about the danger of going back into deficit, back into debt, just before the baby boomers start to retire; and we know these surpluses of today turn into massive deficits tomorrow. That would just be a serious mistake.

Mr. President, I yield the floor and I suggest the absence of a quorum.

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

The senior assistant bill clerk proceeded to call the roll.

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

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

Mr. GRAHAM. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

### THE ECONOMY

Mr. GRAHAM. Mr. President, we have been receiving a disturbingly consistent and an increasingly high volume of bad economic news. Even what appeared to be good news at its base is bad news.

In today's Washington Post, is an article—and I ask unanimous consent that this and the other articles to which I will refer be printed in the RECORD immediately after my remarks.

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

(See exhibit 1.)

Mr. GRAHAM. There was considerable enthusiasm a couple of weeks ago when the Federal Reserve Board reduced interest rates for short-term interbank borrowings by .5 percent. Today, we learn why the Federal Reserve Board acted in that manner in an unusual format between its regularly scheduled meetings.

The background is that the Federal Reserve Board Chairman, Alan Greenspan, had, for weeks, directed the Federal Reserve staff to closely track company earnings announcements and business executives' comments about their plans for such things as capital spending.

Staff members have been working the phones, asking companies specific questions about their future intentions. What the Federal officials and the staff found out by early April was a disturbingly sour attitude among corporate executives, suggesting that many of them were hunkering down, concentrating on cutting costs and slashing investment plans. The policy planners concluded that quick Federal Reserve Board action was needed to try to break the psychological mindset lest it undermine the drag we pick up in economic growth later this year. Many Federal officials are hoping there will

be a turnaround and that this action was necessary in order to turn that hope into reality.

Unfortunately, today we have received some additional bad economic news. To quote from the report of the New York Times:

The Nation's unemployment rate shot up by 4.5 percent in April, the highest level in 2.5 years. Businesses slashed their payrolls by the largest amount since the recession of 1991.

The Labor Department report of Friday—today—was the freshest evidence that the economy, which started to slow in the second half of the last year, continues to weaken. The increase of .2 percentage points in the unemployment rate marks the second straight month the jobless rate had gone up. In March, it had ticked up by 4.3 percent. April's rate was the highest since October of 1998 when unemployment also stood at 4.5 percent.

Similar reports are in today's online news reports from USA Today, the Washington Post, all of which I have submitted for the RECORD.

Nobody likes to talk about bad news. I think what we need to be talking about now is common sense.

What are likely to be the consequences of this accumulation of bad news? I am afraid the consequences will include a further assault upon consumer confidence, which has already declined precipitously, and a further assault on the willingness of consumers to undertake serious expenditures. We know that about two-thirds of our economy is predicated on consumer spending. As the willingness of consumers to spend is undermined by the kind of bad news they received this morning, that will have an immediate and significant adverse effect on our economy.

How have we been reacting—we Members of Congress and the new administration—to this bad news? In my judgment, we have been responding inadequately. We have been responding based on a denial of the changes that are occurring in our economy and an unwarranted commitment to pursue the ideas that were the product of a different economic era.

I believe we should be seriously looking—not only looking but acting—to provide new levels of economic assurance to the American people and the economic capability to take advantage of that reassurance. We should immediately institute a tax stimulus designed to encourage consumers to increase their spending and, therefore, begin to counter the softening consumer demand in our economy.

Unfortunately, the tax stimulus has been the stepchild of tax policy. Why has it been the stepchild? I think, first, it has been the stepchild because there has been an undue commitment to policies that were developed in another time.

I remember a statement made by President Bush, which was a statement made to indicate his constancy, his degree of unwavering support, for his \$1.6

trillion tax plan. That statement started with the fact that the President indicated when he first announced his tax plan during the winter of 1999, in preparation for the 2000 Iowa caucus, that he first proclaimed his commitment to a \$1.6 trillion plan and that commitment had continued throughout the Republican primary process, the Republican Convention, and the general election, and has continued until that date in February of 2001.

What has happened is that while the plan has continued to be the same from the winter of 1999 to the now almost summer of 2001, the economic stage has changed. Stagehands have come on the stage and removed the booming stock market, which in the winter of 1999 was giving us almost daily new highs in stock market prices. The stagehands have also removed what was almost an all-time low in unemployment and replaced it with the unemployment circumstance we find today, which is 4.5-percent unemployment, up three-tenths in just the last 60 days. We also have replaced the gross domestic product, which had been running at rates of 5 or 6 percent, with one in which we now are approaching an anemic 2-percent growth rate in our GDP.

The second stage, which began in the late winter of this year, was that at least we started with the rhetoric that we were interested in tax stimulus, but no change in the tax plan. We were saying the same plan that had been developed in the winter of 1999, which was defined as a plan to give a rebate, refund, to the American people for excessive taxes—that the same plan now was relabeled as being a tax stimulus.

There was a glimmer of hope. That glimmer of hope occurred just within the last few days when we heard that the conference committee that was working on the melding of the House and Senate budget resolutions was proposing that there be a \$100 million tax stimulus and that that tax stimulus was to start immediately. That glimmer of hope was quickly shattered, because now we see that in the conference report on the budget resolution, there is no \$100 billion for a tax stimulus—the \$100 billion was folded into the \$1.25 billion overall tax cut. A tax cut of \$1.25 trillion over 10 years has now absorbed the \$100 billion that was supposed to be the tax stimulus and has grown. So we have a tax reduction proposal in the budget resolution of \$1.37 billion, but no specific tax stimulus.

Another source of disappointment is that in the budget resolution that passed the Senate, we were talking about two tax bills between now and October 1. There would be one in mid-May and another one prior to September 30. That raised the hope, and there was some public comment that that first tax bill would be the tax stimulus bill; it would be the means by which we would respond rather than passively observe that accumulation of very troubling economic news. That,

too, has now been eliminated in that the budget resolution apparently will only call for a single tax bill. It is being suggested that tax bill should be basically the winter of 1999 tax bill with minor modifications.

I am discouraged and disappointed at the current state of affairs, but I am hopeful there will be a new day. Maybe that hope can be found in the fact that we learned late last night that the conference report on which the House was supposed to have voted and which we were assumedly going to be debating some today and again on Monday and vote on Tuesday was deficient; that there were, in fact, two pages of the conference report that were mysteriously missing.

The hope is those two pages are the two pages that contain some commitment toward an intelligent tax stimulative policy. If that is not the case, then it is incumbent on us to come to our senses and to take constructive action before it is too late.

I analogize the situation we are in to a business which has just learned there is going to be built in close proximity a gasoline tank farm. The business owner is looking at his insurance policy and asking the question: Given the fact that I am now going to have a heightened risk of a fire in the neighborhood in which my business is located, would it not be prudent to acquire some additional fire insurance?

We are getting the message that there is additional vulnerability in our economic neighborhood, and would it not be prudent under these circumstances for us to buy some additional insurance, an insurance policy against recession or an insurance policy against a deepened, prolonged recession?

I believe, just like the business person, yes, it would be prudent for us to do so. I suggest in doing so we should reexamine the proposal that will soon be before us and say, first, it is not prudent to be attempting to pass one gigantic tax bill, most of which benefits do not occur until 5 years from now; rather, what we should be doing is passing immediately an economic stimulus tax bill which will deal with the No. 1 economic challenge to this Nation and most of our people, and that is how to provide some additional economic encouragement and sense of hope for Americans at a time of a sliding economy, increasing unemployment, and declining gross domestic product.

I believe that first tax bill we pass should have the following characteristics: It should be an immediate tax bill. It should be front loaded with substantial benefits available immediately after enactment.

The President's original tax bill had only \$187 million of tax benefits in the calendar year 2001. I believe we need to have a substantial tax cut of at least \$60 billion in 2001 and in each successive year. We need to place that tax cut primarily in the hands of all American

families through a reduction in their withholding tax. This would result in the greatest likelihood that tax cut would, in fact, be used to stimulate demand.

This plan needs to be simple. We are about to consider what will be a very complicated plan, a plan that will have multiple provisions, most of which will not have a significant economic impact until after the year 2005.

I believe we need to have a simple, straightforward plan which will have an impact immediately. The proposal Senator CORZINE and I have developed which we submit as meeting these characteristics will be accomplished by taking a recommendation of President Bush, which is that we add a new bracket to our income tax code, and that be a bracket at the 10-percent level—that the first taxable dollars earned by Americans would be at a 10-percent rather than a 15-percent level.

The President's suggestion should be modified in two regards. First, the 10-percent bracket, as he has suggested it, will not go into full effect until the year 2006. We suggest it ought to be in full effect as of January 1, 2001.

Second, his proposal is limited to the first \$6,000 of earnings for an individual and the first \$12,000 for a married couple. We increase those numbers to \$9,500 for an individual and \$19,000 for a married couple. The effect of that is to provide a \$60 billion tax stimulus reflected through reductions in withholding taxes and immediately available to the American people.

We offer this as a commonsense solution to a very serious and disturbing set of economic changes that are occurring. We offer this as a means of providing to the American people the kind of support the Federal Government can and should be providing at this time. We offer it as a statement that we are not so disconnected from the lives of Americans that we are unable to appreciate the anxiety which many of our fellow citizens are suffering and the opportunity we have to provide a constructive and immediate source of relief.

I suggest that we, the Members of Congress, are about to be tested. Are we isolated, stuck on some plan that is now almost 2 years out of date, or are we engaged with the American people; that we appreciate the implications of the declining economy to their lives, and we are prepared to act in a way that will give them the confidence that will, in turn, be beneficial to all Americans because it is their confidence converted into actions in the marketplace which have the best chance of beginning to place some concrete under our economy and begin to lift us out of this series of declines.

We are going to be tested. Next week is going to be the testing date. I hope this Congress will receive positive grades on the report card we are going to be issued because if we fail to do so, and if that tank farm of declining economic statistics explodes this summer

or fall, the question is going to be asked of us: What did you do when you had the opportunity to buy an economic insurance policy to help avoid this consequence? We do not want to say we were blind and deaf to the circumstances of the American people and failed to act.

I hope this news, as disappointing and distressing as it is, will serve as a shock signal to this Congress to act and next week we will show that we have heard the alarm.

I thank the Chair.

#### EXHIBIT No. 1

[From the Washington Post, May 4, 2001]

#### FED'S LEGWORK LED TO QUICK RATE CUT FIRMS SURVEYED BEFORE APRIL SURPRISE

(By John M. Berry)

When Federal Reserve policymakers surprise financial markets with an unexpected change in interest rates, investors and analysts often wonder, "What do they know that we don't?" Usually, the answer is nothing.

But when the Fed caught the markets off guard on April 18 with a half-percentage-point reduction in short-term interest rates, Fed Chairman Alan Greenspan and other central bank officials did have some vital, privately gathered information that convinced them an immediate rate cut was needed.

The chairman had expressed concern earlier this year that businesses, worried about falling profits in a sluggish economy, might cut their spending on new plants and equipment so much that they would prolong the slump and forestall an eventual rebound in growth. Anecdotal evidence reaching the Fed suggested that could be the case.

To get a better reading, Greenspan had for weeks directed Fed staff to closely track company earnings announcements and business executives' comments about their plans for such capital spending. Some staff members also had been working the phones, asking companies specific questions about their spending plans.

What Fed officials and the staff found by early April was a disturbingly sour attitude among corporate executives that suggested many of them were hunkering down, concentrating on cutting costs and slashing investment plans. The policymakers concluded that quick Fed action was needed to try to break that psychological mind-set lest it undermine the gradual pickup in economic growth later this year that many Fed officials expect. And the officials decided they could not wait until their next regular meeting, scheduled for May 15.

So on April 18, Greenspan convened an 8:30 a.m. conference-call meeting of the Federal Open Market Committee, the Fed's top policymaking group. That group lowered the Fed's target for overnight interest rates by half a percentage point, to 4.5 percent. In a separate action, the Fed board reduced the discount rate, the interest rate financial institutions pay when they borrow directly from one of the Fed's 12 regional reserve banks, by the same half-point.

This picture emerges from interviews with sources who spoke on the condition of anonymity, Wall Street analysts and public comments by several Fed officials.

The Fed's moves surprised financial markets, for two reasons.

First, the most recently published economic statistics suggested that, while the U.S. economy was still weak, some sectors had begun to improve. Some private forecasters had even begun to revise their predictions for growth upward modestly.

Second, several presidents of the regional Fed banks had made recent speeches noting the signs of improvement, which the markets interpreted as suggesting that urgent action on rates was not needed.

For some investors and analysts, the clincher came from William Poole, president of the St. Louis Federal Reserve Bank, on April 10. After a speech in Dyersburg, Tenn., Poole told reporters that the Fed's target for overnight rates should be changed only at the FOMC's eight regularly scheduled meetings each year, except in "compelling" circumstances.

"There are compelling times when quick action is necessary, but this is not one of them," Poole asserted.

Remarks the same day in a speech by Jack Gwynn, Poole's counterpart at the Atlanta Federal Reserve Bank, also implied a desire to act at regularly scheduled meetings rather than at other times. And two weeks earlier, Anthony Santomero, president of the Philadelphia Fed, had said, "I do not think the Fed should routinely take policy actions for the sole purpose of boosting expectations or merely to affect confidence."

A few weeks earlier, at its March 20 meeting, the FOMC had cut its rate target by half a point and hinted clearly that it might cut rates again if necessary before the May meeting. In the statement, the committee said that, given the weak and uncertain economic outlook, "when the economic situation could be evolving rapidly, the Federal Reserve will need to monitor developments closely."

The FOMC had used similar wording in an announcement after its mid-December meeting, intending to signal that it would consider making a rate cut before its next regular meeting. But more market participants did not pick up that signal and were therefore very surprised when the Fed lowered its rate target by half a point on Jan. 3. The re-appearance of that language in March initially convinced many investors and analysts that another reduction was likely during the long eight-week period between the March and May meetings.

But as April wore on, and the tone of new economic data improved a bit and some Fed officials suggested no Fed action was in the offering, market expectations for a rate cut evaporated.

So when the Fed moved on April 18, some analysts concluded that Fed officials must have decided that a rate cut would have a greater impact if it came as a surprise to investors and business executives. If that were the case, then the president's remarks must have been part of a coordinated plan intended to mislead market participants, the analysts said.

To most Fed officials, the notion of coordinating statements of all the policymakers is almost laughable. Public statements by one policymaker or another often leave others in the group shaking their heads. That clearly was the case when Poole so specifically ruled out an inter-meeting move.

Furthermore, historically there has always been a certain tension between Fed officials in Washington and the 12 Federal Reserve Bank presidents scattered across the country. Some of that tension has involved issues of who has what powers within the system, which is largely dominated by the chairman.

The bank presidents carefully guard their limited independence, even to the point of rarely conferring with one another on monetary policy outside of formal meetings. Some of the presidents do send drafts of the speeches to Washington, where the Fed board and staff read them and may make some suggestions for changes. But there is no attempt to coordinate statements and the presidents are free to ignore suggestions.

This geographic separation contrasts with the weekly Fed board meeting in Washington, usually on Monday mornings, at which reports on the state of the economy are presented by the staff and discussed by the board members. Fed officials would not discuss the extent to which the reserve banks' presidents were apprised of the board staff's findings as it gathered up details of corporate announcements and made telephone inquiries about business investment plans.

Nor has there been any public indication of whether there were any dissents registered during the April 18 conference call. The minutes of that meeting, along with those from the preceding regular FOMC session March 20, will be released two days after the upcoming May 15 meeting.

The Fed's announcement following last month's unexpected rate cut highlighted the policymakers' concerns about business attitudes and spending plans, and mentioned other uncertainties about consumer spending and the demand for U.S. exports. After noting some of the same positive economic signs the bank presidents had mentioned in their speeches, the FOMC said:

"Nonetheless, capital investment has continued to soften and the persistent erosion in current and expected profitability, in combination with rising uncertainty about the business outlook, seems poised to dampen capital spending going forward. This potential restraint, together with the possible effects of earlier reductions in equity wealth on consumption and the risk of slower growth abroad, threatens to keep the pace of economic activity unacceptably weak. As a consequence, the committee agreed that an adjustment in the stance of policy is warranted during this extending intermeeting period."

In addition to economic worries, the condition of the stock market likely helps explain some of the timing of the April rate cut.

While Greenspan and other Fed officials maintain they are not in the business of targeting stock prices, they readily acknowledge that the market can have a significant impact on the economy and that does concern them. For example, the weakness in the stock market over the past year is a factor in business investment decisions because the market can be a source of inexpensive funding for new plants and equipment.

But if investors were still driving stock prices downward—as appeared to be the case until the first part of April—a surprise rate cut might have had little impact on the market. Like an intervention in foreign exchange markets to affect the value of a currency, officials felt it would be better to wait until the market appeared to have hit bottom and was on its way up.

As the market began to improve during the week before the rate cut, another factor came into play—Easter. The market was to be closed on Friday, April 13, and was to close early the day before, and under such circumstances trading volume is usually low. So if one goal, likely a subsidiary one, was to give the market a boost, the following week was probably a better bet.

Now, of course, attention has turned to what the Fed will do May 15. Most analysts expect a further reduction in the target for overnight rates, by either a quarter of a point or a half-point. The latter would bring the rate target down to 4 percent, its lowest in seven years.

Some analysts think the Fed will stop at 4 percent, whether it gets there in one step or two. That could well be the case since a significant member of Fed officials believe economic growth will gradually improve in the second half of the year, though they generally stress the uncertainty of the outlook.



A smaller group of analysts thinks the economy will prove stubbornly weak and that the target for overnight rates will bottom out at 3.5 percent.

But with rates as low as they are likely to be after May 15 and only six weeks until the subsequent FOMC meeting in late June, a third surprise rate reduction between meetings this year can be only a very remote possibility.

[From the Washington Post, May 4, 2001]

#### WALL STREET FEELS LABOR PAIN

(By Jessica Doyle Belvedere)

The government released fresh evidence this morning the U.S. economy continues to weaken.

The April employment report handed Wall Street a bag of bad news. The labor market showed the steepest job losses in over a decade as the unemployment rate vaulted to a high not seen since October 1998.

Non-farm payroll jobs plunged 223,000, re-buffing expectations of a gain of 21,000 and pushing the unemployment rate to 4.5 percent, up from 4.3 percent in March. That is the highest jobless rate since October 1998 and higher than the consensus 4.4 percent forecast. Meanwhile, average hourly earnings rose 0.4 percent.

Manufacturing was the hardest hit sector of the economy, as employment fell 104,000 in the ninth consecutive monthly decline and the largest since August. The report also showed that job losses were widespread. However retail and government operations added to their payrolls.

Wall Street is particularly tuned into this morning's report since the labor market is a key driver of consumer confidence, which in turn impacts spending patterns. With the economy weakening since last summer, consumers may curtail spending, which accounts for two-thirds of economic activity. Thus far, consumer spending has been resilient and helped to buoy the overall economy.

The report also raises the stakes that the Federal Reserve will make another aggressive interest rate cut later this month. The Fed has acted four times this year to stimulate the flagging economy.

Gerald D. Cohen, Senior Economist at Merrill Lynch believes the Fed will cut rates by 50 basis points at its May 15th, and by August fed funds will stand at 3.5 percent. "We still don't think the economy is going into recession. Spending has softened but it will be ok. The Fed will help spur growth when the rate hikes come on line. And enough sectors are holding up that they will keep the economy from slipping into a recession."

Wall Street is bearing the brunt of the weaker-than-expected reading. As of 9:50 a.m. EDT, the Dow Jones industrial average had fallen 104 points or nearly 1 percent. Meanwhile, the Nasdaq dropped 48 points, or 2.19 percent, after losing 3.4 percent on Thursday.

The drumbeat of anemic labor data continued Thursday, prompting investors to question the odds of an economic rebound, and therefore an earnings rebound in the latter half of the year.

Thursday's report on the labor market showed new claims for unemployment benefits rose by 9,000 to 421,000 for the week of April 28. The report's 4-week moving average, with smoothes out statistical blips, rose to 405,000, the highest level of unemployment claims since October 1992. Additionally, a job-placement firm that tracks layoffs reported that businesses in April announced plans to eliminate 165,600 jobs, a record in the survey's 8-year history.

Another economic indicator proved troubling to investors. The non-manufacturing portion of National Association of Pur-

chasing Management's monthly report fell to a reading of 47.1 percent in April from 50.3 percent in March. Any reading below the 50 percent benchmark signals economic contraction, and the gauge indicated that the economic downturn may be broadening.

[From the Wall Street Journal, May 3, 2001]

#### FED FINDS SLOWDOWN IS WIDESPREAD IN U.S.

(By Greg Ip)

WASHINGTON.—Despite a flurry of upbeat news, the economy's worst days may not be behind it after all.

The Federal Reserve's latest report on regional economic conditions offered little evidence that the slowdown is over. "Almost all districts report a slow pace of economic activity in March and early April," the Fed said yesterday. "Labor-market tightness has eased in almost every district."

The report, known as the beige book, summarizes economic conditions in the 12 Federal Reserve districts and is used by policy makers to determine monetary policy. The policy makers meet next on May 15.

To be sure, much of the news lately has been positive. The economy grew at a 2% annual rate in the first quarter, double expectations; in April, stocks had one of their best months in years; and the latest signs from manufacturing suggest the sector is bottoming out. Yesterday, the Commerce Department said factory orders rose 1.8% in March from February, seasonally adjusted, thanks mostly to transportation.

On closer inspection, however, the picture is less comforting. While consumer spending was surprisingly resilient in the first quarter, it weakened as the quarter progressed. In March and April, a key variable in the spending equation—employment—worsened.

Last Friday's report on first-quarter gross domestic product "is telling you what's going on outside your window over the past few months. It's not a good leading indicator," said Lakshman Achuthan, managing director at the Economic Cycle Research Institute in New York. By contrast, initial claims for unemployment insurance "are going the wrong way fast," he said. Claims topped 400,000 in late April, the highest in five years and up 44% from a year earlier.

Mr. Achuthan noted that while the National Association of Purchasing Management's index of manufacturing activity rose a touch in April from March, the employment portion fell. That suggests job cuts are broadening.

Yesterday's Fed report said that retail sales, after weakening in March, picked up in April. But this may have been due to "Eastern sales and better weather," according to businesses in the Dallas district. The beige book found housing demand remained firm, but auto sales were more mixed. "Almost across the board . . . districts note that higher gas prices appear to have reduced demand for new SUVs, luxury vehicles and trucks."

In the St. Louis district, layoffs have hit both the Old and New Economy alike: steel, timber, electronics, plastics and high-tech companies. In the Boston district, discount retailers said that "demand has softened because their lower-income customers are facing a fuel-price squeeze."

Still, the fact the economy grew as much as it did in the first quarter does suggest improved prospects for avoiding a recession, which is often defined as two consecutive quarters of declining GDP.

"Much of the inventory correction is behind us, as the ratio of real inventories to private final sales has now fallen back to the level of the first half of the last year," noted forecasting firm Marcroeconomic Advisers LLC of St. Louis, which said it is more com-

fortable with its relatively upbeat forecast. It also cited a number of positives: The Fed cut interest rates half a percentage point April 18; stocks are recovering; and a tax cut is more likely.

Federal Reserve Bank of San Francisco President Robert Parry said yesterday that he "seriously doubts" that the nation's economy will plunge into a recession, given the Fed's four rapid and aggressive rate cuts this year. Separately, the Federal Reserve Bank of Chicago said its gauge of business activity had improved to a level suggesting the likelihood of recession had fallen.

The economy has benefited from the fact that consumer spending held up while businesses slashed inventories. Consumer spending may weaken now, but inventory cutting is less likely to compound that. "Production and demand are kind of weaving around each other, and if you keep getting that you probably won't have a recession," said Edward McKelvey, senior economist at Goldman Sachs. "The bid intellectual battle is more, 'How firm a recovery can you expect?'" Stock and bond markets are anticipating a solid recovery, but "we think the economy is in for an extended period of sluggishness."

One of the factors likely to keep growth anemic is cuts to capital spending. Though business investment in equipment fell less than expected in the first quarter, there is no turnaround in sight. Technology shares have rallied, but more on hopes that the sector has hit bottom than actual signs of increased demand. Semiconductor prices, for example, have actually weakened in recent weeks, suggesting those hopes are premature.

#### FACTORY ORDERS

Here are the Commerce Department's latest figures for manufacturers in billions of dollars, seasonally adjusted

|                                | Mar. (p)<br>2001 | Feb. (r)<br>2001 | Percent-<br>age chg. |
|--------------------------------|------------------|------------------|----------------------|
| All industries .....           | 370.52           | 363.83           | +1.8                 |
| Durable goods .....            | 206.29           | 199.37           | +3.5                 |
| Non-durable goods .....        | 164.23           | 164.47           | -0.1                 |
| Capital-goods industries ..... | 72.57            | 65.70            | +10.5                |
| Nondefense .....               | 61.38            | 58.87            | +4.3                 |
| Defense .....                  | 11.20            | 6.83             | +63.9                |
| Total shipments .....          | 366.51           | 365.05           | +0.4                 |
| Inventories .....              | 490.85           | 493.70           | -0.6                 |
| Backlog of orders .....        | 597.79           | 593.78           | +0.7                 |

p-Preliminary, r-Revised.

[From the New York Times, May 4, 2001]

#### UNEMPLOYMENT RATE RISES TO 4.5% IN APRIL

WASHINGTON (AP).—The nation's unemployment rate shot up to 4.5 percent in April, the highest level in 2½ years. Businesses slashed their payrolls by the largest amount since the last recession in 1991.

The Labor Department report Friday was the freshest evidence that the economy—which started to slow in the second half of the last year—continues to weaken.

The increase of 0.2 percentage point in the unemployment rate marked the second straight month the jobless rate had gone up. In March, the jobless rate ticked up a notch to 4.3 percent. April's rate was the highest since October 1998, when unemployment also stood at 4.5 percent.

Both the increase in the unemployment rate and the cut in jobs surprised many analysts. They were predicting that the unemployment rate would rise to 4.4 percent and that businesses actually would add jobs during the month.

Businesses cut their payrolls in April by 223,000 jobs, the largest reduction since February 1991, when payrolls fell by 259,000. It was the second month in a row that businesses trimmed their payrolls. In March, payrolls fell by 53,000, according to revised figures, a smaller reduction than the government previously reported.



In April, job losses were widespread except in retail and government, which added to their payrolls.

The unemployment numbers follow the Federal Reserve's surprise interest rate cut by one-half point last month—the fourth reduction this year in the Fed's campaign to ward off recession. Analysts have said further rate cuts are likely at the central bank's May 15 meeting.

With unemployment expected to continue inching up, some economists worry that consumers might rein in spending and further weaken the struggling economy.

Consumer spending accounts for two-thirds of all economic activity and has helped buoy the economy during the downturn.

Some companies are coping by sharply cutting production, leading to reductions in workers' hours and overtime, and forcing thousands of layoffs.

The New York Times announced this week that it would cut 100 jobs after already laying off 100 people at its online unit and offering buyouts to other employees. That followed recent announcements at Morgan Stanley, Honeywell International Inc., LM Ericsson and Texas Instruments Inc.

Friday's report showed that manufacturing, which has been bearing the brunt of the economic slowdown, continued to hemorrhage, losing a huge 104,000 jobs last month. Declines since June have totaled 554,000 and two-thirds of those job losses have occurred in the past four months.

Construction, which had been adding jobs over the last several months, lost 64,000 jobs in April. The government said the drop may reflect in part heavy rains over part of the country. The construction and housing businesses have remained healthy during the economic slowdown—a key force in keeping the economy out of recession.

Business services cut 121,000 jobs in April. Temporary employment services experienced another sharp decline of 108,000 last month, and have lost 370,000 jobs since September.

Seasonal hiring in amusement and recreation services and hotels was well below normal last month, with unemployment declines of 30,000 and 13,000, respectively.

Average hourly earnings, a key gauge of inflation, rose by 0.4 percent in April to \$14.22 an hour. That matched the gain in March. The length of the average workweek was unchanged at 34.3 hours in April.

The PRESIDING OFFICER (Mr. KYL). The Senator from New Hampshire.

Mr. GREGG. Mr. President, I will speak about the education bill.

Mr. BYRD. Will the Senator yield?

Mr. GREGG. I yield to the Senator from West Virginia.

Mr. BYRD. About how long will the Senator speak, so I know when to return.

Mr. GREGG. I say to the Senator, I will probably speak 15 to 20 minutes.

Mr. BYRD. I thank the Senator.

#### BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT—Continued

Mr. GREGG. Mr. President, we have discussed at considerable length the educational issues that have been brought forward by the BEST bill, which is the proposal that came out of the Health Committee I serve on, chaired by Senator JEFFORDS from Vermont, and ranking member Senator KENNEDY from Massachusetts. We

talked a lot about policy and the fact this bill moves the policy forward to try to reform our school systems in a number of ways. It does not necessarily go as far as some Members would like, but it is progress in areas which are in significant need of progress.

I have had a chance to speak about the need for more choice, the need for basic themes such as being child centered, flexibility, has academic achievement as its goal especially for low-income kids, and it has accountability standards to make sure the academic standards are met.

I have spoken on a number of specific issues such as how to deal with teachers, how it improves the capacity of local school districts to do more to get and keep good teachers and hire good teachers.

I will speak about the issue of the funding in this bill and the funding question generally because there has been a lot of discussion especially from the other side of the aisle about how inappropriate the funding levels are that the President has proposed to support the educational reforms he has requested.

When I hear these representations from the other side of the aisle, I am not so sure they come to the table—not to be too aggressive—with clean hands on the issue. The issue of funding education in this country, especially things such as special education, has been debated for the last few years and it has been the Republican side of the aisle that has significantly increased the commitments to educational funding. I think it is appropriate to review the history of where we are in the area of funding.

First, it is most important to point out the equation for better education is not more dollars equal better education. Over and over again it has been shown, in study after study, that more dollars do not produce better education. The key to better education is a much more complex formula than some would have Members believe. Those who suggest we put more dollars in and we get better education are wrong. The key to education is a formula that involves, No. 1, parental involvement; No. 2, good teachers; No. 3, good principles; No. 4, local control over the curriculum and how the schools teach; and probably No. 5 on the list, dollars. It is a mixture of these factors and other factors, of course—facilities and things like that—but primarily it is a very complex formula. It is not just more dollars means better education.

A number of studies have shown this relative to local dollars and State dollars. Regarding Federal dollars spent, the statistics are especially startling. We have had a Federal program in place now for over 30 years, the purpose of which was to raise the level of academic achievement of especially low-income children. That is what we were focusing on as a Federal Government. Regrettably, our success in this area

has been singularly poor. This chart reflects this. We have spent \$120 billion on title I, which is directed at low-income children. Yet the score levels of our kids who meet this category of educational support has remained absolutely flat for all intents and purposes in reading and math. The spending has gone up dramatically, but the score levels of these children has been flat.

In fact, the average child who comes from a low-income family today, who is in the fourth grade, reads at two grade levels below a peer in that class. That is true not only for the fourth but fifth and sixth, and naturally they fall back as they go into the eighth, ninth, and tenth grade to the point where this group of kids, low-income families and especially minority families from urban areas, are graduating at less than a 50-percent rate from high school, even though we spent all this money.

One thing we know for sure is that putting money into the problem has not resolved it. The issue is, What should we do? We need to reform the system. That is what the President has suggested. Through a lot of hard negotiation and aggressive effort on the part of both sides of the aisle, with Senator KENNEDY and Senator JEFFORDS taking the lead, we have been successful coming forward with a bill which in some ways significantly reforms the system, although it leaves out key elements I would like to see, but it is still a major step in the right direction, especially once the bill is amended by the underlying agreement which was reached between the chairman and the ranking member and other people who negotiated.

Reform is critical if you get something for the dollars spent. Dollars are not the only issue.

Let me simply say the representation by the other side that this administration is not willing to commit the dollars to support reform is inconsistent with the history of what has happened over the last few years and who has been willing to fund what. If you look at the amount of funding which President Clinton suggested we put into the educational system over the 8 years of his administration, recognizing for the first 4 years of his administration he has the deficit, the average amount spent, the average increase, was about 3.3 percent. The biggest increase he suggested in any given year was 3 years ago when he suggested 8 percent. But generally, his increases have been proposed at around 4 percent, 3 percent, 2 percent in the area of spending for education.

President Bush has suggested an increase of 11 percent in his budget, twice, three times what President Clinton proposed in any budget over the last 8 years. He has suggested, and he has made an offer to the other side which would represent a 50-percent increase in spending in title I specifically, the single largest increase ever proposed in this program by a factor of 10, by my calculations.

The simple fact is that the President has been willing to come forward, subject to reform being put in place, and commit the dollars necessary to support those reforms. Remember something about the reform proposals brought forward, even as part of the agreement: There is a lead time to those reforms being put in place. They basically all key off of something called annual yearly progress, which keys off of a testing regime, and the testing regime is not presumed to be effective or completely in place for almost 3 years, probably 4 years. It is not expected, under this bill, that we will attain our goals because it takes so long to ramp up to this type of a situation, for 10 years. Thus, the money that is going into the program this year, the 50 percent increase which the President has been willing to propose, is a huge infusion of money upfront when the reforms are not in place. It is really a downpayment in anticipation of what will happen in reforms.

It is really a sign of good faith on his part to make that type of commitment. He is saying, as President, I am committed to these reforms. I know you have to make the reforms to get decent education and achieve improvement in our education. But I also understand money is going to have to be committed. Even though I am not going to get my reforms immediately, I am willing to put the money upfront, and a significant amount of money, a huge amount of money in the context of what has been done in this area for years.

So this argument from the other side that the money is not there, there is not any money there—I heard the ranking member of the Budget Committee come down this morning and give us an explanation of that—is simply inaccurate. Not only has the President proposed to increase his budget by 11 percent, not only was the budget reported out with an 11 percent increase in it, but he has gone much further and said, on the appropriating accounts, he is willing to make a much more significant increase. And the people on the other side who have been negotiating this matter know that. The President has agreed he will find those dollars within the contents of the budget that has been settled on, huge dollars of increase.

Let's take another subject in which we have heard a lot of talk about money, IDEA, special education. This is something I have been working on for a long time. The Senator in the chair has been working on it for a long time. The Senator from Vermont, the chairman of the committee, has been working on it for a long time. When I came to the Senate, the Federal Government was paying 6 percent of the cost of special education. It had agreed in 1976 that it would pay 40 percent of the cost. So the difference, the difference between 6 percent and 40 percent, was being picked up by the local communities through their tax base or

States through their tax base. Essentially States and local communities were having to support the Federal obligation.

As a result, their resources were being skewed and sent places and being used to support Federal obligations when they might have wanted to use them to do something else at the State level. So a number of us made a conscious effort to change that, and we have made huge progress. We have gone from the Federal Government picking up 6 percent of the cost to the Federal Government today picking up almost 17 percent of the cost; and we are closing in on 20 percent of the cost.

But who is the energizer for this? Did it come from President Clinton? Did these additional efforts in the area of special education come from President Clinton? For 8 years in a row there was essentially no increase sent up here by the Democratic White House to increase special education funding of any significance. Only 1 year did they send anything up with any significance. In fact, in a number of years they essentially flat funded this account.

It was not until we got a Republican Congress that this issue was addressed and began to be addressed aggressively. I have a chart which reflects this rather dramatically. This is 1996, the year the Republican Congress came into being. The red accounts reflect the increase in IDEA funding since that period. As you can see from this bar chart, it has gone up every year since there has been a Republican Congress. In this period, of course, you had a Democratic President.

I suggest you go back and look at the budget submissions that came from the White House during this period. You will see no increase. If this were to track the budget submissions of the White House, those lines would be cut off right there. The increase in special education funding has come as a result of aggressive initiatives coming from this side of the aisle.

The President this year has put in his budget the single largest increase ever proposed by a White House in the area of special education—\$1 billion. So we will now exceed \$7 billion in funding for special education if we follow the President's proposal. Those are real dollars that will significantly relieve the burden of the local communities in the area of education and specifically in the area of special education.

So when we hear this patter from the other side of the aisle that the dollars are not there to support the initiatives which the President has talked about, it is simply inconsistent with the facts. There is no question but that the hundreds of billions of dollars that have been suggested on the other side of the aisle are not there because they were not responsible and they would not resolve the problem.

It was ironic, I have to admit, after 8 years of receiving essentially no increase or only marginal increases in title I funding from a White House con-

trolled by the Democratic Party, that during the first few months, when the White House became controlled by the Republican Party, suddenly the Democratic Party decided they needed a 74 percent increase in funding in 1 year in this account. That was after 8 years of saying they did not really need any type of increase of funding in this account.

Could it be political? I don't think so. But the fact is, the request was made and so far we have heard from the other side that unless that request is met, we will be underfunding these accounts.

The President has proposed, as I said, in his budget and has supported in his budget an 11 percent increase overall in education funding. That is the single largest item of increase in his budget of any account, whether it is defense, NIH, whatever. He has put on the table an extra \$1 billion for special ed funding. And he has made an offer on the appropriating side relative to title I, which would represent a 50 percent increase of title I funding in the first year—the first year, which is not 74 percent, but it is still a pretty darned big number.

My view is that the President has more than gone the distance in putting the money on the table necessary to address the reforms which are in this package. The reforms are good reforms.

Once again, let's remember these reforms have a lead-in time which is fairly significant. The money is actually going to be available before the reforms are in place. So I would say the President is showing really good faith in this exercise.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The Craig amendment No. 372 is the pending business.

Mr. BYRD. So there is an amendment before the Senate?

The PRESIDING OFFICER. That is correct.

Mr. BYRD. Mr. President, I ask unanimous consent the pending amendment may be set aside temporarily and that I might offer an amendment and hopefully get it acted upon by voice vote.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 373 TO AMENDMENT NO. 358

Mr. BYRD. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 373 to amendment No. 358.

Mr. BYRD. I ask unanimous consent further reading of the amendment be waived.

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

The amendment is as follows:

(Purpose: To provide assistance to local educational agencies to carry out activities to reduce underage alcohol abuse)

On page 586, between lines 18 and 19, insert the following:

**SEC. 405. GRANTS TO REDUCE ALCOHOL ABUSE.**

Title IV (20 U.S.C. 7101 et seq.) is further amended by adding at the end the following:

**“PART E—GRANTS TO REDUCE ALCOHOL ABUSE**

**“SEC. 4501. GRANTS TO REDUCE ALCOHOL ABUSE.**

“(a) IN GENERAL.—The Secretary, in consultation with the Administrator of the Substance Abuse and Mental Health Services Administration, shall award grants, on a competitive basis, to local educational agencies to enable such agencies to develop and implement innovative and effective programs to reduce alcohol abuse in secondary schools.

“(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), a local educational agency shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

“(1) a description of the activities to be carried out under the grant;

“(2) an assurance that such activities will include 1 or more of the proven strategies for reducing underage alcohol abuse as determined by the Substance Abuse and Mental Health Services Administration;

“(3) an explanation of how activities to be carried under the grant that are not described in paragraph (2) will be effective in reducing underage alcohol abuse, including references to the past effectiveness of such activities;

“(4) an assurance that the applicant will submit to the Secretary an annual report concerning the effectiveness of the programs and activities funded under the grant; and

“(5) such other information as the Secretary determines appropriate.

“(c) STREAMLINING OF PROCESS FOR LOW-INCOME AND RURAL LEAS.—The Secretary, in consultation with the Administrator of the Substance Abuse and Mental Health Services Administration, shall develop procedures to make the application process for grants under this section more user-friendly, particularly for low-income and rural local educational agencies.

“(d) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section, \$25,000,000 for fiscal year 2002, and such sums as may be necessary in each of the 6 subsequent fiscal years.

“(2) RESERVATIONS.—

“(A) SAMHSA.—The Secretary shall reserve 20 percent of the amount appropriated for each fiscal year under paragraph (1) to enable the Administrator of the Substance Abuse and Mental Health Services Administration to provide alcohol abuse resources and start-up assistance to local educational agencies receiving grants under this section.

“(B) LOW-INCOME AND RURAL AREAS.—The Secretary shall reserve 25 percent of the amount appropriated for each fiscal year under paragraph (1) to award grants under this section to low-income and rural local educational agencies.”.

Mr. BYRD. Mr. President, the warm springtime weather brings to mind the words of Shakespeare:

From you have I been absent in the spring,  
When proud-pied April, dress'd in all his trim,  
Hath put a spirit of youth in everything.

But, unfortunately, all is not well with many of our youth. While most of

them are shedding their winter coats and playing in the warm sunshine, a shocking number are engaging in some very dangerous behavior, dangerous both to themselves and others. I am speaking of alcohol abuse.

When I say “dangerous behavior,” I am talking about alcohol abuse.

According to a study by the National Institute on Alcohol Abuse and Alcoholism, and the Robert Wood Johnson Foundation, get this: The extent of alcohol consumption by children ages 9 to 15 is startling, and preventing it must become a national priority.

Consider these facts. Three million children ages 14 through 17 are regular drinkers. Twenty-four percent of eighth graders have used alcohol in the last 30 days.

Let me read that again.

Three million children ages 14 through 17 are regular drinkers.

Where are the parents? They aren't around.

Twenty-four percent of eighth graders have used alcohol in the last 30 days. More than 100,000 12- to 13-year-olds binge drink every month. More than 100,000 youngsters 12 to 13 years old binge drink every month.

Ninth graders who drink are almost twice as likely to attempt suicide than those who do not drink. Moreover, 40 percent of children who begin drinking before the age of 15 will become alcoholics at some point in their lives.

Let me say that again.

Forty percent of children who begin drinking before the age of 18 will become alcoholics at some point in their lives.

America has taken elaborate measures to combat the scourge of drugs. We have financed police and military attacks on the drug problem. But the most favored drug for Americans is alcohol. That is the most favored drug—alcohol. The most commonly abused drug is widely available, and it is cowardly promoted—alcohol. Walk into any liquor store, show your ID card—sometimes you don't even have to do that, I am told—and buy your poison. It is for sale.

On television, for those who watch it—I do very little of it. I watch television very seldomly. I watch it when public television has on a truly good informative movie, such as “Napoleon,” or “The Ten Commandants.” I believe I saw “The Ten Commandments.” I know I saw it. But I believe it was on one of those very good programs on some other network, or a station other than public television. Of course, I don't ask everyone to do what I do or to follow me as an example. I am just saying that as far as television is concerned, I select very carefully the programs that I watch on television.

But on television, sports heroes debate whether a particular type of beer tastes great or less filling.

On television, sports heroes debate whether a particular type of beer tastes great or is less filling.

These commercials send a not-so-subtle message to our young people that

drinking is what adults do, particularly adults who are popular—athletes, for example. Drinking is what adults do. So why don't you do it? If it is all right for adults, it is all right for you young people.

Comedians joke about drunks. But drinking is no joke. And we must make a greater effort to get the word out where it can have the greatest impact. Drinking is no joke.

Don't think that the crisis of youth violence is not connected with alcohol. We talk about alcohol abuse. I will just say alcohol, plain old alcohol. We tippy-toe around about it and call it alcohol abuse. Of course, it is alcohol abuse.

Let me say this in addition. There are many causes of youth violence. The people of this country are concerned about youth violence in the schools and elsewhere. There are many causes of youth violence. But judgment, which is not always very well developed in the young, is clearly impaired by alcohol.

My amendment would authorize \$25 million, which is a very small sum for this purpose, for competitive grants to be awarded to local educational agencies for the purpose of assisting them with the implementation of innovative and effective alcohol abuse prevention programs targeted at children and particularly teenagers.

Out of this amendment, \$5 million would be set aside for the Substance Abuse and Mental Health Services Administration to provide alcohol abuse resources to the local education agencies, as well as to assist them with the implementation of their program.

The U.S. Department of Education would work jointly with the Substance Abuse and Mental Health Services Administration to develop the grant application with special attention to the low-income and rural educational agencies.

This program is modeled on the National Awards Recognition Program. That program rewards colleges and universities for innovative and effective alcohol prevention initiatives. The difference, however, is that this amendment would create a program that gives funding to schools to create effective alcohol abuse prevention programs targeted towards high school students.

Now, this is the beautiful month of May. We are heading right into the time when there will be high school commencements all over the country. And all too often we read in the newspapers about what happens after high school commencements in some instances: An automobile full of young people, who have just graduated, perhaps from high school, go out for a drive, they drink, they have beer in the car—may have whiskey in the war—and they end up with their automobile wrapped around a tree. Many of those high school youngsters die on those occasions.

So let us take action now, so that springtimes for decades to come can be

wholesomely enjoyed, and can orient our youth toward futures teeming with possibilities. I urge my colleagues to support this amendment.

Before my colleagues respond, my good friend—and he is my good friend—and he is my favorite Senator on this side of the aisle. I will not say today who my favorite Senator is on the other side of the aisle, but I have no problem doing that when the occasion arises. I have several favorite Senators, but Senator KENNEDY is my favorite of all favorites on this side of the aisle.

Now, you do not win friends by saying things like that, selecting another individual and saying he is your favorite. I like all my colleagues on this side of the aisle, but Senator KENNEDY and I have a long history and a long history of friendship. I have great admiration for him.

But in connection with this amendment, Senator KENNEDY asked me a few days ago, right out of the blue sky, to quote a certain poem. That tests your mettle when somebody asks you to quote a poem right in front of the television camera. And these poems are not easy to quote in situations like that. I am almost tempted, though, to quote that poem in connection with this amendment.

Twas a dangerous cliff, as they freely confessed,

Though to walk near its crest was so pleasant;

But over its terrible edge there had slipped  
A duke and full many a peasant.

So the people said something would have to be done,

But their projects did not at all tally;

Some said, "Put a fence around the edge of the cliff,"

Some, "An ambulance down in the valley."

But the cry for the ambulance carried the day.

For it spread through the neighboring city;  
A fence may be useful or not, it is true,  
But each heart became brimful of pity  
For those who slipped over that dangerous cliff;

And the dwellers in highway and alley  
Gave pounds or gave pence, not to put up a fence,

But an ambulance down in the valley.

"For the cliff is all right, if you're careful," they said,

"And, if folks even slip and are dropping,  
It isn't the slipping that hurts them so much.

As the shock down below when they're stopping."

So day after day, as these mishaps occurred,  
Quick forth would these rescuers sally  
To pick up the victims who fell off the cliff,  
With their ambulance down in the valley.

Then an old sage remarked: "It's a marvel to me

That people give far more attention  
To repairing results than to stopping the cause,

When they'd much better aim at prevention.  
Let us stop at its source all this mischief," cried he,

"Come, neighbors and friends, let us rally;  
If the cliff we will fence we might almost dispense

With the ambulance down in the valley."

"Oh, he's a fanatic," the others rejoined,  
"Dispense with the ambulance? Never!

He'd dispense with all charities, too, if he could;

No! No! We'll support them forever.

Aren't we picking up folks just as fast as they fall?

And shall this man dictate to us? Shall he? Why should people of sense stop to put up a fence,

While the ambulance works down in the valley?"

But a sensible few, who are practical too.

Will not bear with such nonsense much longer;

They believe that prevention is better than cure.

And their party will soon be the stronger.

Encourage them then, with your purse, voice, and pen,

And while other philanthropists dally,

They will scorn all pretense and put up a stout fence

On the cliff that hangs over the valley.

Better guide well the young than reclaim them when old,

For the voice of true wisdom is calling,

"To rescue the fallen is good, but 'tis best

To prevent other people from falling."

Better close up the source of temptation and crime

Than deliver from dungeon or galley;

Better put a strong fence round the top of the cliff

Than an ambulance down in the valley."

That is what this amendment does. It helps—it is not enough—but it helps, it begins a program of putting a fence around the edge of a cliff to rescue these people, prevent their going to the dungeon or galley. I hope that my colleagues will support this amendment, that we might put up a strong fence around the edge of the cliff and keep some of these young people, hopefully, from bringing disaster upon themselves.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, just about a week ago, Senator BYRD was addressing the Senate on a matter of importance, and I took just a moment of his time to ask him if he could refresh our recollection of a poem that he previously recited about the fence and the ambulance down in the valley.

As things would have it, there was intervening business, and the good Senator was kind and patient enough to permit others to proceed. It was late in the afternoon, close to the evening, and Senator BYRD agreed to respond to my request for recitation of this poem at a later time.

Little did I know then that his presentation would have such meaning in connection with the amendment that he offers today, to try to strengthen the academic achievement of children in this country. His amendment is absolutely on point, in that it recognizes that investment in prevention is a much wiser investment than providing remedies after the fact.

Prevention is what the Senator's amendment is really all about. That is the central theme of the Senator's amendment today in terms of awakening awareness among our young people across this country about the extraordinary dangers and devastations of alcohol.

The good Senator from West Virginia is not a member of our Education Com-

mittee, but I am hopeful that in the remaining time the Senate considers the Elementary and Secondary Education Act, at some time the Senator will recall for us the importance of a quality education.

There is no one in this Chamber who can speak more eloquently or more passionately or more knowledgeably than he about the basic importance of starting a young person off on the right path towards academic achievement. And there is no one who can tell the story more effectively about the challenges that are presented to young people, and the resolve they must have in order to earn the legitimate scholarship that results from application of hard work in the development of one's academic abilities.

I do not think there is anyone I know who can remember the names of their third, fourth, and fifth grade teachers, as the Senator from West Virginia can, the subject matter that was taught, and the lessons learned in those classrooms many years ago. I know of no one who can make a more persuasive or passionate statement of support for the importance of a good education as a matter of national priority than the Senator from West Virginia.

I will certainly urge that his amendment be adopted. But more important, I hope that as this body is considering the Elementary and Secondary Education Act and as we get weighted down in the particulars of the legislation, at some time during this period, he might remind us all of the importance of education in a young life and the difference that makes.

He has a remarkable story. I can remember many of the good Senator's speeches. But his past speeches on the importance of a quality education is always one I remember with such clarity and such profundity. It is an extraordinary story. I hope at the end, or sometime during the debate that story of the early educational years of BOB BYRD will remind us all about what we hope this legislation is really about.

We are talking about different features of the legislation this morning, as we did yesterday and we will next week. But Senator BYRD's story brings it all together.

I thank the Senator for bringing this amendment to our attention. I think it adds a very important dimension to this legislation. I hope it will be accepted at this time, if my good friend from Vermont believes it is appropriate to do so.

Mr. JEFFORDS. Again, I commend my good friend from West Virginia on a most eloquent statement. I shall in no way try to match or improve upon what he has said. I strongly believe in what he is trying to do.

Senator KENNEDY has most eloquently expressed his views and thoughts about not only the amendment but the Senator's past. I, for one, admire him every time I hear him speak. It always lifts my day a little bit.

I certainly would accept the amendment. I am checking now to find out from other Members to see if we can do that. We cannot do it at this time.

Mr. BYRD. Mr. President, I thank both Senators. I hope we can adopt this amendment today. I would be willing to do it on a voice vote if the Senators find it possible.

While I am on my feet, let me say, with the utmost sincerity and gratitude, that the words of my friend, Senator KENNEDY from Massachusetts, are words I shall always recall as long as I live. These words coming from him, and also the words of the Senator from Vermont, are most gratifying.

Senator KENNEDY has led in the fight for better legislation and for more appropriations for the education of our young people. He has been doing this for a long time. When I was majority leader of the Senate several years ago, Senator KENNEDY was one of those committee chairmen. He was almost unique, I would say, but there were one or two others: Scoop Jackson, who was a Senator, and when he came to the floor as chairman of the committee, he had done his homework; he was well prepared. He and Senator KENNEDY were two I can think quickly of as being Senators who turned out legislation which later became the law of the land.

I can remember those days when I would compliment Senator KENNEDY on the work he was doing, and I, from time to time, commented that the legislation he brought from his committee usually became a statute. I can't remember today any Senator who exceeded or who equals the Senator from Massachusetts, Mr. KENNEDY, in developing language for statutes; I can't think of any Senator who exceeds or even equals Senator KENNEDY in that respect.

It might surprise some people around here to know that in the time I have served, I have yet to find a statute which bears the name of Webster; I have yet to find a statute which is the Clay law; I have yet to find a statute that was authored by John C. Calhoun. Some people judge Senators by the number of laws that bear the Senators' names. That is not the proper standard. When I think of the three greatest Senators of all time, I think of Webster, Calhoun, and Clay because they were great Senators for many reasons. But I find that they were not great Senators because of statutes or laws that bear their name.

But I can find many statutes that became such because of Senator KENNEDY's leadership. And in no area of legislation should one be more proud than that of being a leader in promoting and developing and managing legislation that becomes law. There is nothing better than doing this in the field of education. Those are the best resources for our children.

I am going to accede to Senator KENNEDY's request, if I can, and try to develop a few words that will respond to

his magnificent accolades. I certainly salute him as my leader in the field of education. I thank him for what he said today. I thank him for his service. I thank both Senators for their acceptance of this amendment. I hope we can pass it in the Senate today by a voice vote.

Mr. KENNEDY. Mr. President, again, I thank my friend and colleague for his kind words.

I am also grateful for the Senator's extraordinary service. I say to my colleagues, if they want to find out what a Senator's Senator is all about, travel to West Virginia with BOB BYRD. And if you want to know what the history of this body is, read his lengthy history of this institution.

There are many reasons we are indebted to his service in this institution. There is no one who fights to preserve the institution as Senator BYRD does, and to those of us who love and respect this institution, he stands as Number One. History will not show his equal.

Mr. President, now I want to take a few moments to review a very important aspect of this education debate, and that is the issue of funding for the educational reforms that are before us today.

I ask unanimous consent that this table describing the history of past efforts for funding Title I and other elementary and secondary education programs be printed in the RECORD in refutation of Senator GREGG's statement on education earlier this morning.

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

ESEA BUDGET REQUESTS VS. APPROPRIATIONS

| Fiscal year               | President's budget request (in thousands) | % Increase over previous year's appropriation | Appropriation (in thousands) | % Increase over previous year's appropriation |
|---------------------------|---|---|------------------------------|---|
| 1994 .....                | \$9,124,842                               | 4.58  | \$8,776,528                  | 0.59  |
| 1995 .....                | 10,478,889                                | 19.40   | 9,663,290                    | 10.10   |
| 1996 .....                | 10,258,296                                | 6.44  | 9,495,162                    | -1.74   |
| 1997 .....                | 10,439,200                                | 9.94  | 10,620,080                   | 11.85   |
| 1998 .....                | 11,351,574                                | 6.89  | 11,523,351                   | 8.51  |
| 1999 .....                | 13,333,192                                | 15.71   | 13,851,297                   | 20.20   |
| 2000 .....                | 14,510,420                                | 4.76  | 14,811,252                   | 6.93  |
| 2001 .....                | 18,114,500                                | 22.30   | 18,411,464                   | 24.31   |
| Average Increase .....    | 1,058,716                                 | 8.67  | 1,099,980                    | 9.06  |
| Bush Budget FY 2002 ..... | 669,000                                   | 3.60  |                              |   |

Mr. KENNEDY. On the education budget, I want to emphasize something that is enormously important and to which the American people must pay attention: this budget conference agreement, which arrived at 2 a.m. this morning, includes an outline of what will be invested in education over the next 10 years. This is the budget that has the support of some Republicans in Congress and the administration.

If we look at education and what the funding will be over the next 10 years, I hope our Members will look at the part of the budget—the reference is H1867, in yesterday's CONGRESSIONAL RECORD from the House. Look at the figures there.

Fiscal year 2001, budget authority of \$76.9 billion, outlays of \$69.850 billion;

then for 2002, \$81.234 billion in budget authority, \$76.742 billion in outlays: that is about a 5-percent real increase after adjusting for inflation. The Department of Education's FY 2002 Budget Summary confirms, on page 2: "The President is requesting \$44.5 billion in discretionary appropriations for the Department of Education in fiscal year 2002, . . . an increase of \$2.5 billion or 5.9 percent over the 2001 program level."

Fiscal year 2003, the outlays go from \$76 billion to \$81 billion. Fiscal years 2004 to 2005, it goes from \$81 billion to \$83 billion; 2005, it goes from \$83 billion to \$85 billion; 2006, \$87 billion; 2007, \$89 billion; 2008, \$92 billion; 2009, \$94 billion; 2010, \$96 billion; 2011, \$99 billion. Flat funding for education for the next 10 years after accounting for inflation. This is the guidepost for educational funding for the next 10 years. Flat funding. No increase.

With respect to the priorities for this country, how do we reach the recognition that education is the No. 1 priority for this country when the administration and the Republican leadership in the House and the Senate have said no increase; none whatsoever. Flat funding in the area of education, not for next year or the year after, but flat funding over every one of the remaining 8 years of this decade, that is the guidepost in this budget proposal.

That is absolutely unacceptable, Mr. President. Unacceptable. How are we going to explain it? When are we going to hear the explanation from the budgeteers? What happened to the Senate vote on the Harkin amendment where, in a bipartisan way, the Senate voted to increase education investments by \$250 billion over the next ten years. We wanted funding for Title I. We wanted funding for the Head Start Program. We wanted funding for the Child Care and Development Block Grant Program. We still want to fund an investment in children. Why? Because they are our future. We know if we do not invest in our children, they are not going to be able to fully participate in our society, in our economy, and be productive and creative members of society. That is what this debate is all about.

There is no issue that comes before us that more defines what we are about as a society than whether we are going to have a strong educational system.

What is Republicans' real message? On the one hand, we hear education is the No. 1 priority. Yet here's the budget, Mr. President, funding over the next 10 years. This is absolutely shocking. It certainly does not reflect the opinion of the Senate when yesterday the Senate responded to the superb amendment that was offered by Senator HAGEL, a Republican, Senator HARKIN, a Democrat, dealing with special needs of children and recognizing we made a commitment to the States that we were going to provide 40 percent of funding for special education. We are at about 15, 17 percent of the

funding now. Yesterday, this body went on record saying, yes, we want to keep our promise to those children, families, and local communities.

In the evening yesterday, again in a bipartisan effort with Senator DODD and Senator COLLINS, the Senate voted overwhelmingly to provide full funding for the Title I program over the next 10 years. It provided a virtual doubling of the number of children who would be reached in the first year under Title I. It was adopted overwhelmingly last evening, Mr. President.

Nonetheless, we have in this budget flat funding for the next 10 years. Unacceptable, I say.

If we look further in the budget on pages H1868-69 of yesterday's House CONGRESSIONAL RECORD, the Republican budget says that \$336.2 billion in non-defense discretionary spending will be available next year. But the Congressional Budget Office tells us that the amount of funding necessary to provide current services over the next year, including education, health, NIH, and assistance for Seniors under the Older Americans Act, is \$343 billion. Just look here in chapter 4, of the Congressional Budget Office's Spending Outlook, Table 4-4: \$343 billion will be necessary for all government non-defense discretionary spending in 2002. But look at what the budget says, it limits this to \$336 billion. This means the budget provides \$7 billion less, which will mean there will be cuts in education, health, the environment, or other essential government services.

These are the facts. We can talk about our priorities. We can talk about what the administration is thinking about, but this budget shows Republicans' true economic objectives. They focus on tax cuts for the super wealthy, period. This budget document says we will have in excess of a \$1.2 trillion tax cuts going to some of the wealthiest individuals in our country and we will have flat funding in education.

I cannot understand how Members of this body can support this budget and say we give education a priority. This is so discouraging.

We have before us good education reform legislation as a result of a bipartisan effort to ensure we are going to combine robust resources and accountability to get constructive and productive results from schools.

While we work to make our education policy the best, under this budget, we effectively turn our backs on the needs of students across this country. It's a disgrace.

I take issue with comments made earlier about what has been happening in Title I. I heard we really don't need to fund Title I because it will take so long for the programs we are passing to be put into effect: It will take time to develop the tests; it will take time for the schools to allegedly fail over a period of time; it will take time before we need the resources. I question that. That is not my reading of the specific language.

This bill talks about school improvement for failing schools. We know today we have 10,000 failing schools. This particular legislation has approaches to help local communities and assist them to get out of the category of failing schools. That will take resources. We don't have to wait 2, 3, 4, 5 years. We don't have to do that. We know there are 10,000 failing schools in the country today. We know the average cost is \$180,000 to turn around a failing school. There are some 57 research-based, comprehensive school reform models that have been identified by the New American Schools Corporation as proven and successful. School committees choose their preferred model. The decision is made locally.

For a \$1.8 billion commitment, we could begin turning around every failing school tomorrow. We have not gotten that. That is what we want to try to do. People say, wait for the bill to go into effect. It will have to be in effect 3 or 4 or 5 years before we force action to turn around failing schools. But there are 10,000 failing schools that can be turned around now. The parents want them improved now. Why wait?

In the BEST bill, we seek to turn around those 10,000 needy schools now. Under the budget the administration suggested, we will be able to reach only 2,440 schools. This is a missed opportunity. It makes no sense. Do we want a \$1.2 trillion tax cut or do we want to take a small percent of that, less than half of 1 percent that would fund these programs? We ought to have the vote on that. Should we have less than a one-half of 1 percent reduction in the tax program to try to turn around the schools, or shall we go ahead and give the tax cut?

The Budget Committees, that are the voice of the Republican majority, say we will shortchange the schools. We are resisting that. The Senate is resisting that in a bipartisan way. Those votes last night were bipartisan. That is a clear reflection of where we are. We are very hopeful of using those votes to try to persuade the Administration to make the kinds of investments in the children needed.

With all respect to those who spoke earlier today, I would like to review what has happened historically in terms of the NAEP test. The federal government contributes 6 or 7 cents out of every education dollar spent. Education is primarily the State and local responsibility. On the federal level, we try to target aid toward the neediest children. Fifteen percent of the children in this country are poor. You have to be desperately poor to qualify under Title I. There are some 10.3 million children we identify as needy for the purposes of Title I. But we provide enough funding to reach only 3.5 million of those children. We think we ought to fully fund Title I and really leave no child behind.

In recent years, we have seen NAEP achievement gains by needy children. They have been gradually going up

with regard to white children, gradually going up with regard to Hispanics, gradually going up with regard to blacks. What is most encouraging, you can say look how little progress has been made, or you can say progress has been made. We are talking about the poorest of the poor, the neediest of the needy.

The fact we added 5 million disabled children, mainstreamed them, with physical and mental challenges, the fact we have had an explosion of homelessness, the fact we have had an explosion in the number of migrant children impacted, and we have had a dramatic increase in the immigrant children attending schools—all those have impacted achievement levels. We have had a very significant increase in those speaking different languages, foreign languages, and difficulties associated with that.

In spite of these new challenges, the achievement gap between children of different races and classes has been reduced. We see in 13-year-olds, in math, a 46-percent achievement gap reduced to a 32 percent gap, a 30-percent change. We are moving in the right direction.

The reduced achievement gap has come without the further improvements brought in this legislation—improvements that will strengthen the quality of education for the teachers, improve the curriculum, give the schools more authority, fund supplementary services in the afterschool programs, and come from an insistence on results.

We have seen even under the old system that we have been making some progress—not as much as any of us would like, but we have seen the lines moving in the right direction, which has to be a part of our national purpose and goal. In this case, it was for 13-year-olds in the area of math.

In reading, for 9-year-olds, there was a 44 percent gap in the 1970s, and a 29-percent gap in 1996. The best results show minority students are moving in the right direction—there has been a 34-percent change in the last 30 years. It is not a dramatic change, but when you look at the expansion of the student body and the significant expansion of students, poor children getting poorer, and all the other factors that impact children, it is still moving along—not as fast as any Members would like, but we are making some progress under the NAEP tests.

This chart shows for 17-year-olds, in reading, a 52-percent gap at the start of the program, down to a 29-percent gap at the present time; fairly flat at the top, and moving up with regard to minority students.

For the 9-year-old kids, in science, a 57-percent gap has been reduced to a 41-percent gap, a 28-percent change. Look at the gap in minority students. They have moved up in an important way.

We have made some progress. We spend \$400 billion a year on K-12. The main federal program is only \$8 billion,



about 2 cents out of each dollar spent, and we are still making progress.

Yesterday, I used the example of the special situations where we had many of the programs we have supported and illustrated in this legislation that have resulted in dramatic improvements for children.

I will just mention a few.

Goethe Middle School, Sacramento, CA—With chronically low test scores across the curriculum, Goethe Middle School recently decided to attack its academic problems at their root: Many students had never learned to read well. Beginning with the 1997-98 school year, Goethe took a radical step. It trained all instructional staff in Corrective Reading and used fourth period for a mandatory reading class for virtually every student. Although this DI implementation is still too new to judge, preliminary data are encouraging. In the fall of 1997, only 11 percent of Goethe students could read above a sixth-grade level, while 12 percent were at a "high average" level for sixth grade. In other words, fewer than one in four students had much hope of keeping up with the reading assignments usually required of middle school students. By the end of the school year, the number of students reading at least at this basic level had more than doubled: 22 percent were at the "high average" level, 26 percent were above.

This legislation will expand that type of program.

Kalispell, MT—The only independent study of Early Steps was conducted in Kalispell, Montana, a small school district with many lower- and middle-class Caucasian families attending Title I schools. In general, the student selected into the study were among the most economically disadvantaged in the district. All students in the study were also performing in the lowest 20th percentile of their class in reading and on related tasks, such as alphabetic knowledge, spelling, word attack and recognition of words in context. Students were assigned to two matched groups, receiving different types of tutorial interventions. After one year, students who had been taught using Early Steps significantly outperformed their peers in reading assessments. In addition, 52 percent of the Early Steps students were found to be reading at or above grade level, compared to 23 percent of students in the control group.

We know that this program can work.

Cameron Elementary School, Fairfax County, VA—In Fairfax County, Cameron Elementary School's reading scores were below average, and well below those of many schools in the district. With as many as 40 percent of students suffering from low reading achievement, the school decided to implement ECRI as a summer school intervention. By the end of the summer, not only had students in the 4th and 6th grades increased their scores by 10 points, but they also ranked at or above the national average on standardized tests.

We have adopted the kinds of programs there which have been successful.

Arkansas—The state of Arkansas approved Reading Recovery for statewide use in 1988. From 1991 to 1994, 1,088 struggling students received the full RR program (defined as having received 60 lessons). Of those students, 940 (86 percent) attained grade level. Fifty-nine students who had successfully completed the program were followed for an additional two years. Compared to a random sample of non-RR students, the RR students

tended to perform as well or better on measures of dictation, spelling and text reading in both the third and fourth grades.

Mr. President, we have many examples of improving academic achievement and the reading ability of the nation's schoolchildren. We can help children achieve. That is what this legislation is all about. We have the ability to do it. The real question is whether we aim to reach all of these children, or whether we aim to reach only one-third of them? That is the issue.

Earlier we heard a good deal about the improvements that were taking place in Houston, Texas. Secretary Paige is from Houston. All of the Houston's educational improvements that were highlighted earlier in this debate have come at a cost Houston has seen a 43 percent increase in education spending between 1995 and 2000. That is an investment in children. That is what we are asking for. We have seen it work in Houston.

In Dallas, too, we have seen results. Dallas has made academic gains. Since Dallas made an investment in their accountability system, between 1994 and 2000, they have seen a 21% increase in the number of students that are passing all portions of the TAAS. Before the Texas accountability system, Texas was spending \$673 million in Dallas. Today, they spend \$985 million. That is a 46 percent increase—\$312 million.

These examples indicate real investments. Real money. We have the programs and the educational reforms. We know that when the reforms are in place, and when we have significant investments, we get results. We have a bill that contains the right programs, but now we need the resources.

AMENDMENT NO. 375 TO AMENDMENT NO. 358

Mr. KENNEDY. Mr. President, I send an amendment to the desk. I ask the pending amendment be temporarily set aside.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] proposes an amendment numbered 375 to amendment No. 358.

Mr. KENNEDY. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate regarding, and authorize appropriations for, title II of the Elementary and Secondary Education Act of 1965)

At the end, add the following:

**SEC. 902. SENSE OF THE SENATE; AUTHORIZATION OF APPROPRIATIONS.**

(a) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should appropriate \$3,000,000,000 for fiscal year 2002 to carry out part A title II of the Elementary and Secondary Education Act of 1965 and thereby—

(1) provide that schools, local educational agencies, and States have the resources they

need to put a highly qualified teacher in every classroom in each school in which 50 percent or more of the children are from low income families, over the next 4 years;

(2) provide 125,000 new teachers with mentors and year-long supervised internships; and

(3) provide high quality pedagogical training for every teacher in every school.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out title II part A of the Elementary and Secondary Education Act of 1965—

(1) \$3,500,000,000 for fiscal year 2003;

(2) \$4,000,000,000 for fiscal year 2004;

(3) \$4,500,000,000 for fiscal year 2005;

(4) \$5,000,000,000 for fiscal year 2006;

(5) \$5,500,000,000 for fiscal year 2007;

(6) \$6,000,000,000 for fiscal year 2008.

Mr. KENNEDY. Mr. President, this legislation is focused on ensuring that there is a well-trained teacher in every classroom for all of the children. This amendment is also about providing teachers with opportunities for mentorship and other support services to create successful pathways toward academic achievement and accomplishment.

The BEST Act currently authorizes \$3 billion professional development in the first fiscal year covered by the bill. The current authorization includes \$1.6 billion previously authorized for class-size reduction, and about \$500 million for the Eisenhower math-science professional development program.

What we are saying in this amendment is that we should give teacher training a special priority in future years as well. The amendment provides for a modest increase of \$500 million more in authorized funding levels in each of the following years, for the next 6 years. This is a 7-year authorization bill. Title II, Part A will be used to support qualifying teachers, attract new teachers, and provide mentors for new teachers. That is what this amendment is about. At the end of the 7 years, we will have well-qualified teachers in virtually every high poverty classroom. Under current law, we would reach less than half that many in 7 years.

Having a qualified teacher in every classroom is the key to educational success. My friend from New Hampshire, Senator GREGG, mentioned four or five factors this morning that really strengthen education. Well-qualified teachers was one of those factors. Many believe it is most important. It is difficult to make a judgment about the most important factor influencing achievement, but quality teaching certainly, without question, is one of the most important.

Under current law, there is high-quality professional development for less than 5 percent of the Nation's teachers, approximately, 100,000 out of the current 2.8 million. There are more than 750,000 teachers in the high-poverty schools who do not have undergraduate degrees in their primary instruction.

This amendment provides an increased authorization for professional development for every teacher in high-



poverty schools. It would positively impact virtually 50 percent of all teachers. In the first year alone, it would provide subject matter training to about 187,000 teachers in high poverty schools who do not have an undergraduate degree in their primary instructional field.

With the additional funding in the second year, we will get another quarter of the 750,000. We will not only do that, but we will also make sure that we provide mentoring support for 125,000 new teachers.

That is what we need—quality training for current teachers, mentors for new teachers, and continued and ongoing professional development. That is the way you ensure the atmosphere and the climate for learning. That is what we find in almost every study that has been done.

I hope those who are interested in this subject matter take a few moments to review this excellent report, "What Matters Most, Teaching for America's Future." It was published in 1996. It is the document recognized as the leading authority in terms of what is necessary in the classroom to help a child learn.

I will take a few moments to mention a few of the observations. This is on page 41.

Most U.S. teachers have almost no time to consult together or learn about new teaching strategies, unlike their peers in many European and Asian countries where teachers have substantial time to plan and study with one another. In Germany, Japan, and China, for example, teachers spend between 15 and 20 hours per week working with colleagues on developing curriculum, counseling students, and pursuing their own learning. They regularly visit and serve other school classrooms and attend seminars provided by university faculty and other teachers, conduct group research projects, and participate in teacher-led study groups. The result is a rich environment for continuous learning about teaching and the needs of students.

Instead of these ongoing learning opportunities, American teachers get a few brief workshops offering packaged programs from outside consultants and that contribute little to deepening their subject knowledge or teaching skills.

I couldn't say it better than that. We are trying to change that.

What about the importance of mentoring? The weight of accumulated evidence clearly shows that traditional sink-or-swim induction to teaching contributes to high attrition and lower levels of teacher effectiveness.

Sink or swim, put a new teacher with no seniority in the toughest class in America, and they don't last. Forty percent leave in the first 2 years. You put that teacher in the class with an experienced teacher and mentor a young teacher, and you find that you reduce the number of teachers that leave the profession by about 80 percent.

Supervised internships or residencies regularly provided for new entrants in other professions, such as architects, psychologists, nurses, doctors, and engineers, are rare in teaching, but they have proven to be quite effective where they exist. Some States have created programs for new teacher induction. Few have maintained the commitment required. With few exceptions, initiatives during the 1980s focused on evaluation and failed to fund mentoring programs. Again, the problem is not that we do not know how to support beginning teachers. The problem is that we have not yet developed the commitment to do so routinely.

We know what is necessary and what is needed. Again, work in the classroom, getting the well-trained teachers, getting the mentoring and doing it in a continuous way is absolutely key.

I again point out from this study, in addition, that investing in targeted recruitment preparation for teachers for high-need locations is a national need. That is why we believe we have a responsibility to move ahead in this area.

I will not take additional time in terms of the justification. It is all here in a very compelling way.

I say one additional thing about this at this time. We want to make sure in the legislation, in title II part A, that we set a strong definition for all qualified teachers who have an academic major in the arts and sciences, develop competence in a high-level of in-core academic subjects, and are certified and licensed by the States.

My amendment ensures that professional development and mentoring activities are research-based and of high quality. It requires professional development activities be an integral part of broad, school-wide improvement plans, are sustained, and of such high quality and sufficient duration to have a positive and lasting impact on classroom instruction.

My amendment does not promote the one-time workshops we have now but what the best available research tells us.

My amendment promotes mentoring activities that are multi-year and designed to help teachers continue to improve their practice of teaching and develop their instructional skills.

It ensures that professional development activities are aligned with State content standards, student performance standards, assessment, and the curriculum of programs tied to those standards.

We are trying to get well-qualified teachers in the classroom. We are promoting a high-grade curriculum, tests that are not going to be a quick, slick, or easy multiple-choice test, but a test that is really going to test the ability of the child to think through complex problems in math, science, literature, and be able to express them by writing in these areas.

We need all of these reforms. We need thoughtful tests that challenge children. We need strengthened curricula, and we need quality teaching.

We require in this legislation that all teachers in schools with 50 percent of poverty or higher are highly qualified in 4 years. I don't believe, quite frankly, under the bill that we can achieve that with the resources provided.

I think the additional funding that we provide in this amendment will move us on a pathway to being able to achieve that. Then we move ahead to the other parts.

Finally, I hope the Senate will not accept the Craig amendment that is before us. It would effectively undermine in a very significant and important way what we are really attempting to do. The Craig amendment is the wrong approach to improving education. The Craig amendment tells already failing schools that they have to improve achievement before receiving the additional resources. That is a recipe for failure.

The schools and children failing need additional resources in order to achieve the heightened standards we are demanding of them in this legislation.

Mr. President, we have a strong blueprint. We know that once this legislation is achieved it will trigger school improvement. And we have the ability to do so. For my money, we have a greater demand than there are the resources. But we have the ability to do so.

If we are not going to be able to show results by the range of different support that is available under this legislation, we will have a prescription for disaster in terms of addressing the real needs of children. It is counterintuitive to say to children that we are not going to give you what you know you need until you make progress.

So we will have a chance, I imagine, when the Senator from Idaho is present to get into greater debate. But it does seem to me that his amendment runs in conflict with the central thrust of this legislation. I hope the amendment is not adopted.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, I rise in support of the amendment by Senator KENNEDY.

In S. 1, we have combined the class size reduction program with the Eisenhower math and science program to create a single, substantial funding stream for staff development. Given the difficulty in finding teachers who have adequate pre-service training in reading, math, science, and special education, in-service professional development is critically important.

This amendment establishes a set of ambitious goals for the funding of title II of S. 1, much like the amendment of Senators DODD and COLLINS on title I.

If we are going to meet the goals established in this legislation—that every child reach proficiency—then we must upgrade the teaching force. This amendment sends the right signal.

I am pleased to join the Senator in this amendment. I shall work with him to get it adopted.

Seeing no other Senator asking for recognition, 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. KYL. 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. KYL. Mr. President, we are debating the education reform act. Debate over this bill is increasingly boiling down to debate over one question: What is Congress' solution to the problems in our schools, specifically, lagging overall achievement and the fact that too many children are failed altogether?

Anyone watching this debate will realize there is a divide between those of us who believe that the solution lies in reform and those, on the other hand, who believe that the solution is to spend more of your money.

This morning, the Senator from New Hampshire was very clear in pointing out how the expenditure of billions and billions of dollars over the years has not resulted in any improvement in the test scores of our children, and, indeed, after the expenditure of over \$120 billion for the last 30 years, our children are actually falling further behind than ever before.

Granted, those of us who advocate that reform have committed to significant funding increases. Again, as the Senator from New Hampshire noted earlier today, the budgets offered by President Bush and supported by the Republicans in the Senate have called for substantially increased spending on the education program. Of course, granted, most who focus on spending pay lipservice to the need for reform but just not too much of it. I think that is the fundamental divide in this debate.

I am concerned that as we proceed with amendments the spending side is making up a great deal of ground, while the reformers who are looking to change the system in order to help our kids are losing by contrast. Our achievements are looking very meager in contrast.

As politicians, we will likely benefit, at least in the short term, from producing a bill that gives the special interests a taxpayer-funded windfall, in exchange for a bare minimum of reform. But our political exercise will not serve America's children; 6 or 7 years from now, we will be making the same excuses to the taxpayers who were promised improvement.

We should stop making excuses for failure and begin by retiring the most tired excuse of all, which is that a lack of resources explains why our public education system is failing so many of our children—a lack of resources, of course, in the form of taxpayer dollars for education programs.

The education special interests may come up short in educating the chil-

dren who most desperately need the help, but they are experts at excuses. Here are some in the education sector who have moved beyond excuses. This is a book called "No Excuses," by Samuel Casey Carter. It has lessons from 21 high-performing, high-poverty schools. It shows how these schools have implemented commonsense reforms and overcome the challenges that others use as excuses for failure.

The successes of these schools were not achieved by the expenditure of large quantities of new funding but by the innovations of caring people. Most of the programs are in very poor areas, minority areas, and the schools that have some of the best achievements are either charter public schools or private schools. They have overcome modest budgets, typically budgets more modest than many public schools have. They have overcome the psychological and material impediments to learning, which many young people suffer from today. In short, they have overcome big excuse No. 1, the "more money excuse," and big excuse No. 2, also known and characterized by President Bush as the "bigotry of low expectations," which attempts to excuse failure by saying disadvantaged children can't learn and excel.

The book is full of stories. For example, Patsy Burk's story of Owen Elementary School in Detroit, MI, in which 82 percent of the students at the school come from low-income families. Yet, the reading and math scores have improved dramatically as a result of people who care, the innovations in that particular school, and a very innovative team approach to teaching in that school.

Then there is Michael Feinburg School and the Kip Academy in Houston, TX. "There are no shortcuts" is the simple motto of the Kip Academy. They have 9½ hour days, classes on Saturday, school during the summer, and a lot of homework. These are all nonnegotiable at this school. They are 95 percent low-income. Yet, the math and reading scores are very, very good.

Example after example is identified in this particular book. It shows how these schools have implemented commonsense reform and overcome the usual excuses for failure. I think there are practices that parents would like to see employed in their own schools, in the schools that they would like to have their children attend, that are similar to those innovative practices identified in this particular book. But most of these parents don't have the same opportunity as the parents of the kids identified in this book. These kids had a choice; their parents had a choice on where they were going to send their kids. It was that very choice that enabled them to provide the kind of education they knew was best for their particular kids.

When you don't have that choice and you are stuck in a failing school, there is a great deal of frustration. We have seen that not only in the debate today

but also throughout the country in the last several years. That is what President Bush has tried to get away from—the idea that you are stuck in a failing school system.

As the lessons in this particular book show, when you have a choice where you can send your children, not only are you able to take them to the school that best fits their needs and where they can excel but the competition that is provided by those schools to the failing schools tends to bring the failing schools up as well because as kids leave those schools, obviously people begin asking questions. Sometimes the State dollars leave the school as well. So those schools have an incentive to improve.

I can remember in my own State of Arizona opening the paper one day and seeing a full-page ad from a public school—frankly, a public school that was pretty good—advertising for students to come back to this particular public school. I inquired into it. What I found was that in this very fast-growing area of one of the Phoenix suburbs, a lot of the kids were joining up with the private schools that were available or the charter schools that had opened up in the area. Therefore, the enrollment in the large public school was essentially flat.

The superintendent, rather than complaining about it or making excuses, had gone to these charter schools and private schools and asked why so many kids were leaving his public school district and the larger schools and attending these others. He found that they were innovating, providing things that the parents of the students really wanted. So he chose from among those innovations those that he thought could best be incorporated into the large public schools of which he was superintendent.

When those reforms were instituted, he then advertised them to the parents of the kids in the school district. He said: We have changed. We have instituted some reforms now. We think you are going to like these things. Come back to the public schools.

It has been one of the best examples of a public school system which was not doing too badly but could improve. The competition caused it to reexamine what it needed to improve, and it did so. The enrollment since then has gone up. The students are doing very well on scores, and I think but for the competition, that school would not be able to brag about that today.

We need to ask the parents of children in failing schools: Would you rather the Federal Government appropriate funds to fully fund your failing school or would you rather be given the freedom to enroll your child in one of these no excuses schools? The kind about which I am talking. I think we all know the answer.

I am afraid the new 900-page negotiated bill that is going to replace the old 800-page bill passed by the committee, while it provides for some modest enhancement of school choice, does

so only under very rigid conditions with significant limitations, and that concerns me greatly.

There will be amendments to broaden that choice, to extend the benefits of education freedom to more of America's families and children. I look forward to the debate on those amendments, and I certainly look forward to supporting them.

I believe that giving parents that freedom is the most certain path to improvement in education because parents, unlike politicians, are not going to accept excuses for failure.

I look forward to the amendments when they are offered. I look forward to offering an amendment on my own which will show through a tax credit for contributions to special scholarship funds which can provide scholarships for children in low-income areas to attend the school of their choice, we can enhance this kind of competition and enhance freedom as a result. I look forward to the debate, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I thank the Senator for his contribution to the debate and his interest in education.

AMENDMENT NO. 373

Mr. JEFFORDS. Mr. President, I ask for the regular order with respect to amendment No. 373.

The PRESIDING OFFICER. The amendment is now pending.

Mr. JEFFORDS. I understand there is no objection to this amendment, and I urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to amendment No. 373.

The amendment (No. 373) was agreed to.

Mr. DODD. Mr. President, I wish to take a minute or so as we complete the first few days of debate on the Elementary and Secondary Education Act. There are, I am sure, countless amendments still pending that we will consider in the following week or two, before we complete full consideration of a bill we only deal with—and this may come as a surprise to many Americans—once every 5 or 6 years. Unlike agriculture, defense, or a variety of other subject matters dealt with annually, we only debate elementary and secondary education and higher education every 5 or 6 years.

It seems to me we ought to have an annual discussion of the condition of America's public schools, how well they are doing, and what more we could be doing to assist local communities and States in providing the best possible education for every child.

Over the last few days, we have begun to consider amendments. Senator COLLINS of Maine offered an amendment dealing with reading which was adopted unanimously. Senator JEFFORDS had a trigger on testing which was adopted almost unani-

mously. Senator HARKIN and Senator HAGEL offered an amendment that dealt with full funding of special education, which is something that every mayor, every superintendent of schools, every board of education in my State of Connecticut—and, I am confident, in other States—have been asking us to do for years.

Children with disabilities ought to have the same opportunity to reach their maximum potential, as every child. I think all Americans today accept that notion.

Over the years, many have advocated for us to reach the goal of a quarter of a century ago of funding 40 percent of States' special education costs. Today, we're at about 15 percent.

In the measures similar to the amendment offered by Senator HARKIN and Senator HAGEL or have been offered over the years by Senator JEFFORDS, myself, and many others—on occasion, they actually passed the Senate but did not pass the other body or were dropped in conference—something always happened to frustrate the overwhelming desire of people in this country for the U.S. Government to meet its goal. The amendment adopted here will now require that.

I am confident the bill, for reasons I will state in a minute, will become law in this country, and for the first time we will have language which takes us to that goal.

And, along with my friend and colleague from Maine, Senator COLLINS, I was the author of an amendment that will fully fund title I, the heart of the Elementary and Secondary Education Act. That is what this bill is all about since, again, about 35 years ago we decided our role in public education would be to help the most disadvantaged communities and kids of the country. From the beginning in the early 1960s, that is what the Elementary and Secondary Education Act was designed to do. There are other pieces of it, but about 50 percent of the dollars go to title I. Yet, we only fund title I at one-third of the goal we established.

Yesterday, this body went on record with the overwhelming vote of 79-21 in support of full funding of title I over the next 10 years, with the bulk of that obligation being met over the next 4 or 5 years, 75 to 80 percent of the full funding requirement. This now is going to make it possible, in my view, to have a chance to meet the concerns that have been raised by many over the quality of public education.

The bill will also include some long-sought-after reforms on accountability and standards so the children are not just warehoused and pushed from grade to grade without ever having met the educational requirements. That has gone on. We all know about it. Everyone knows about it at local and State levels.

This bill says that we really want some accountability, we want some standards, we want some means by

which we measure whether or not children are, in fact, learning.

Many of us accept that is something we ought to do in the Federal Elementary and Secondary Education Act. But we also say if you are going to do that, you have to put the resources in place so these reforms have a chance of producing the desired results. Reform without resources is just a lot of hot air. And resources without reforms is a waste of money.

Now we are, I hope, in this bill—having adopted the full funding of title I and the anticipated adoption of reforms—going to build on the work we did in 1994 to marry reforms and resources. So many of us conclude this first week of debate with a sense of optimism that, frankly, I did not have 24 hours ago. I had a deep concern we were going to adopt mandates for our local communities and tell our communities what they had to do and then not participate in providing the resources to achieve those goals.

I still have some outstanding concerns that will not be addressed in this bill, but I raise them briefly today. I may try to find some way to give expression to these ideas in the coming week in this debate.

I think it is outrageous that the Federal Government is such a minor player, financially, in the cost of educating America's kids. I always say this. I think Americans would be stunned to discover that, of their Federal taxes that come to Washington, less than 1 percent go back to the education of elementary and secondary school students around the country. In elementary and secondary education, the earliest building block, in many ways, of a child's learning, your National Government is really only a minor participant.

We are very good at instructing our towns and cities how to educate children, and telling the States, but when it comes to putting our money where our mouth is, as the old expression goes, we are pretty cheap.

That goes back a long time. "Education was only the responsibility of local communities. The National Government just ought to stay as far away from elementary and secondary education as possible." That was the idea in the 19th century. That was the idea through much of the 20th century.

We ought to be rethinking the structure of funding education in this country as we enter the 21st century. No longer will the children in my State merely be competing with the children of New Jersey or California or Texas or New York. The child growing up in Connecticut will be competing with children in Beijing, Moscow, South Africa, Australia, Paris, London. That is the world they will be entering. The idea that we would accept a 19th and 20th century structure to educate children to compete in a 21st century global economy is outrageous, in my view, and foolish.

You cannot expect sufficient resources to help these children to come

exclusively or almost exclusively, as they do in at least in 40 States, to come from a local property tax. You are going to bankrupt these homeowners. And, in the poorest communities where the need is greatest for creating opportunity, the resources are the most scarce. I would like to see us say at some point to our communities and States: You bear one-third apiece and we will pick up a third of the cost.

First of all, just think of the property tax relief for millions of Americans. They are sending their money to Washington. We are taking their Federal taxes. As I said, less than one-half of 1 percent is going to secondary and elementary education. Why not see if we can become a better partner?

As we lecture States and localities about what they are not doing, it might be helpful if we also increased what we are doing to contribute to their attracting qualified teachers, seeing that schools are modern and wired with the technology kids will need to be economically independent, contributing members of what we want to be the greatest country on Earth in the 21st century as it was in the 20th century.

I very much would like to see us do that. We will not do that in this bill, but I invite some discussion of how, in the coming years, we can be a better partner in education.

The great irony is that we spend the bulk of our tax dollars in the area of 18 to 22 through Pell grants and Stafford loans, assistance for higher education. And, without question, those programs are invaluable.

But we know that the most important years of a human being's development in terms of their ability to learn and to have the tools necessary to succeed in life, occur in the earlier years of life. We ought to do more in the earliest stage. If we do, more children will succeed as they go on toward adulthood.

The second point I wanted to make is this: I want to see some accountability out of the States, too. We are telling towns and localities they have to do a better job. If not, we are going to shut down their schools.

I don't agree with the idea that the solution that we are going to solve the problem of schools in poor-inner city or poor rural areas by paying for the students to attend private schools. In desperately poor areas there are not those kinds of alternatives except in the most rare of circumstances.

We are talking about being pretty tough with local schools in this bill. I'm all for accountability, but I would like to raise the possibility of getting a little tough with the States, as well. This may be an anathema for some.

There is great disparity based on the affluence and poverty of our respective communities within these States. This has provoked a great debate about the States. I am not suggesting a one-size-fits-all solution, but it seems to me, we might want to include the States in

this discussion so that you will at least begin to minimize the disparity in opportunity.

My State is a good example. I don't blame present administrations or recent administrations. Administrations have wrestled with this idea for a long time. I am sure this is the case in your State, Mr. President, in New Jersey. It is pretty much the case in all of our States.

I represent the most affluent State in America. Here we are, a State with incredibly affluent communities. They do a magnificent job in allocating their resources to improving the quality of public education in their communities. Yet I can take you from one of those communities—I am not exaggerating—for a car ride in less than 15 minutes to a neighboring community that ranks in the top 10 of the poorest communities in America. One community will have a public high school that can compete with a community college in terms of its facilities, athletics, radio, television stations, language laboratories, and wonderful teachers who receive more than decent compensation to teach children in that community. And 15 minutes away, I can take you to a place where the buildings are falling apart, technology is rarely available, and police officers are on every floor. You begin to wonder if you are in a school or a detention facility.

There are wonderful teachers and wonderful students in these schools who struggle every day to provide and receive the best educational opportunity they can. But in the most affluent State in the country, in the most affluent Nation on the face of this Earth, we have communities within minutes of each other where the educational opportunity—that is all I am talking about—is light-years apart.

We can't accept this anymore. Especially as we enter the 21st century with the economic gap growing wider every day, when we will end up having those who are well prepared to fit in this information technology age and the global economy, and those who will have a hard time finding the most menial jobs in America because we didn't provide a decent education.

I say to our partners in all of this, our States, just as we say to our communities, that we want you to do a better job as well. I am going to explore some legislative language on how we might demand greater accountability for seeing that equal opportunity for education is going to be met at the State as well as the local and national levels.

I don't expect anything dramatic to be adopted in this Chamber on this particular bill. But it is a debate we ought to start. CHAKA FATTAH, a very effective Member of Congress from the city of Philadelphia, is a good friend of mine. CHAKA FATTAH wrote language which specifically addresses this issue. In fact, he offered it in the U.S. House of Representatives in the previous Congress and received close to 200 votes in

the other Chamber. It is a rather complicated proposal but one which goes to the heart of this issue, again without insisting on any particular formulation but saying the States have to do a better job in working to see to it that equal opportunity in education is going to be available to all students and be held to some degree of accountability on this issue.

I commend Congressman FATTAH for offering that amendment and for provoking that debate. He sent me the language on that. I am going to submit it for the consideration of my colleagues, perhaps with some variation, over the next couple of weeks.

Again, I thank the membership for their hard work, and especially of Senator KENNEDY and Senator JEFFORDS, the ranking member and chair of the Health, Education, Labor, and Pensions Committee on which I have the pleasure of sitting. I know my colleague from New Jersey has a strong desire to join at some point. We hope he will be there with us. It is an exciting committee. They have done a good job.

I commend Senator DASCHLE, the Democratic leader, and Senator LOTT as well, for moving this debate along.

This has been a pretty good first week—better than I ever thought it would when we started the week. We see a lot more has to be considered. I will have amendments to offer with Senator SHELBY of Alabama and Senator DOMENICI of New Mexico. We will be proposing those amendments at the appropriate time, which we hope our colleagues will support.

I look forward to those debates and discussions, and other amendments our colleagues will be offering.

I think we have started out on a pretty good foot. We have not answered all of the questions. But I think we are going to marry resources and reforms in a package that most of us are going to be able to support.

#### AMENDMENT NO. 375 TO AMENDMENT NO. 358, AS MODIFIED

Mr. DODD. Mr. President, on behalf of the senior Senator from Massachusetts, Mr. KENNEDY, I send a modification to the desk of an amendment he has offered.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 375) to amendment No. 358, as modified, is as follows: (Purpose: To express the sense of the Senate regarding, and authorize appropriations for, title II of the Elementary and Secondary Education Act of 1965)

At the end, add the following:

#### SEC. 902. SENSE OF THE SENATE; AUTHORIZATION OF APPROPRIATIONS.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should appropriate \$3,000,000,000 for fiscal year 2002 to carry out part A title II of the Elementary and Secondary Education Act of 1965 and thereby—

(1) provide that schools, local educational agencies, and States have the resources they

need to put a highly qualified teacher in every classroom in each school in which 50 percent or more of the children are from low income families, over the next 4 years;

(2) provide 125,000 new teachers with mentors and year-long supervised internships; and

(3) provide high quality pedagogical training for every teacher in every school.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out title II Part A of the Elementary and Secondary Education Act of 1965—

(1) \$3,500,000,000 for fiscal year 2003;

(2) \$4,000,000,000 for fiscal year 2004;

(3) \$4,500,000,000 for fiscal year 2005;

(4) \$5,000,000,000 for fiscal year 2006;

(5) \$5,500,000,000 for fiscal year 2007;

(6) \$6,000,000,000 for fiscal year 2008.

## MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak for up to 10 minutes each.

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

Mr. JEFFORDS. Mr. President, 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. DODD. 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. DODD. Mr. President, is morning business the pending business?

The PRESIDING OFFICER. The Senator is correct, with a 10-minute limitation.

Mr. DODD. I gather our colleague and friend from West Virginia may be here shortly, as he is inclined to do on Fridays for periods of enlightenment. I encourage Members to listen carefully to the distinguished senior Senator from West Virginia. He always has the most interesting discussions on history and poetry and important national holidays and days of recognition. It is worthy of the Senate's attention for those who may be following the debate through the channels of public communication.

Mr. BYRD. Mr. President, I ask unanimous consent to speak out of order for as long as is necessary, and it will not be all that long, but long enough.

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

## THE FUTURE COURSE OF THE INTERNATIONAL CLIMATE CHANGE NEGOTIATIONS

Mr. BYRD. Mr. President, earlier this week, Vice President CHENEY gave us a brief glimpse of the administration's soon-to-be-released energy plan that suggests that we need to take action to avert an impending energy crisis. He suggested that the plan will push for increasing fuel supplies from domestic sources. Still, the Vice President did

not explain how domestic climate change programs will be reflected in the energy plan, nor did he discuss press reports that the administration is developing a plan to deal with the international aspects of climate change.

I would like to focus on the latter, and discuss recent decisions by the administration regarding the international negotiations. Climate change cannot be discussed in complete isolation from the soon-to-be released energy plan, since the issue of climate change must be addressed both domestically and internationally.

I wish to note, at the outset, that I applaud the administration's support for clean coal technologies and the administration's recognition that coal is one of our country's most important sources of energy. I recognize and strongly support this policy by the executive branch. A bill I have introduced this session, S. 60, the National Electricity and Environmental Technology Act, addresses the challenges faced by coal, and I would welcome the administration's active support to utilize coal in a cleaner, more efficient way.

I also believe, however, that it would be a mistake to focus too heavily just on increasing fuel supplies from domestic sources. If that is where the administration is headed, it is not on exactly the right path. In order to solve the challenge of climate change, we must develop new domestic sources such as coal, using clean coal technologies, while also engaging in bold initiatives to develop new technologies in the area of energy conservation, energy efficiency, and renewable energy.

I am concerned, based upon preliminary reports, that the administration's plan may not reflect such a balanced and farsighted perspective. Let me begin by noting the obvious—the primary, manmade cause of global warming is the burning of the very fossil fuels that power virtually the entire world.

Here is part of the power just above us as we look up to the ceiling of the Senate Chamber and see these lights. What is required, then, is the equivalent of an industrial revolution. We must develop new and cleaner technologies to burn fossil fuels as well as new methods to capture and sequester greenhouse gases, and we must develop renewable technology that is practical and cost-effective. Rarely has mankind been confronted with such a challenge—a challenge to improve how we power our economy. This is the greatest nation in the world when the issue is one of applying our engineering talents to push beyond the next incremental improvement, and, instead, visualize and then achieve major leaps forward. We can do this, if only we apply ourselves. The scale and the scope of the problem are enormous, as is the leadership that will be required by the current administration, and, for that matter, the next dozen adminis-

trations, if we are to confront and overcome this awesome challenge in our children's time and in our grandchildren's lifetime.

But this takes visionary leadership. It would take extraordinary leadership. We need more than just small, incremental increases in our domestic oil supplies or in our existing research and development programs. This is an approach which only pays lip service to the challenge that we face. It is a huge challenge. I hope that the administration's plan will take a broader view.

We must also recognize that the European Union, China, and other developing nations are quick to point the finger at us, at the world's largest contributor to global warming. We must demonstrate our resolve, and begin to get our own house in order by launching such a research and development effort, as well as continuing and expanding our current efforts to reduce our greenhouse gas emissions.

However, it should also be noted that China will soon surpass us as the largest emitter of greenhouse gases. The Chinese Government must stop blocking all forward movement on the question of developing country participation. The developing world is poorly served by the current level of Chinese intransigence. The poorest nations in the developing world—which will be those that are hardest hit by global warming during this century—must demand leadership from within their own ranks, and especially from China. The Chinese leadership must join us in honestly discussing solutions to the problem of climate change. The United States can develop and provide the technological breakthroughs that can be deployed by all nations, as we move forward together to solve this common, global problem.

However, I want to emphatically warn that new technologies and voluntary approaches will not by themselves solve this problem. We must also actively negotiate and ratify international agreements that include binding commitments for all of the largest emitters of greenhouse gases, if we are to have any hope of solving one of the world's—one of humanity's—greatest challenges.

This concern takes me back to the Senate's actions just 4 years ago. During the Senate floor debate over Senate Resolution 98 in July 1997, I expressed two fundamental beliefs that have guided my approach on the issue of climate change. First, while some scientific uncertainties remain, I believe that there is significant, mounting evidence that mankind is altering the world's climate. Second, the voluntary approach of the 1992 United Nations Framework Convention on Climate Change, commonly known as the Rio Convention, has failed, as almost all of the nations of the world, including the United States, have been unable to meet their obligations to reduce greenhouse gas emissions to 1990 levels. With those points in mind, we must ask

what needs to be done in a binding fashion to begin to address this global issue—the preeminent environmental challenge of our time.

On July 25, 1997, the Senate passed, by a vote of 95-0, S. Res. 98 which stated that, first, developing nations, especially the largest emitters, must agree to binding emission reduction commitments at the same time as industrialized nations and, second, any international climate change agreement must not result in serious harm to the U.S. economy. That resolution served as guidance to U.S. negotiators as they prepared to hammer out the details of the Kyoto Protocol.

Senator HAGEL and I were the prime cosponsors of that resolution.

The adoption of that resolution was perhaps, a dose of reality—laying out, in advance of the completion of the Kyoto negotiations or the anticipated submission of a climate change treaty to the Senate, just what an administration—any administration—would need to win the Senate's advice and consent. Contrary to statements made by some in this administration, the Senate has never voted on the Kyoto Protocol, although the protocol, in its current form, does not meet the requirements of S. Res. 98.

Since that vote in July 1997, international climate change negotiations have covered a wide range of topics in an attempt to craft a balanced treaty. While there have been some important gains and there have been some unfortunate setbacks from the U.S. perspective, I am concerned that, in the Bush administration's zeal to reject Kyoto for its failure to comply with S. Res. 98, the baby is being thrown out with the bath water through a complete abandonment of the negotiating process. Such an abandonment would be very costly to U.S. leadership and credibility and could force the international community to go back to "square one" on certain critical issues such as carbon sequestration and market-based mechanisms—areas which I believe are critical to any future binding climate change treaty.

Still, an examination even of Kyoto's drawbacks can provide the basis for forward movement by the Bush administration.

Let me say that again. An examination, even of Kyoto's drawbacks, can provide the basis for forward movement by the Bush administration.

For example, U.S. negotiators should go back to the negotiating table with proposals that could be achieved internationally. In my opinion, an effective and binding international agreement must include several elements. First, the initial binding emission reduction targets and caps should be economically and environmentally achievable. Such an international agreement should specify increments by which the initial reduction could be ratcheted downward and made more stringent over time. This architecture could provide a realistic and obtainable target,

and it would give U.S. industry more time to prepare to meet such requirements. Additionally, the inclusion of incremental reductions would encourage the development of a range of cleaner, more efficient technologies to meet the long-term goal, namely, the stabilization of greenhouse gas concentrations in the atmosphere. Most important, these steps would give the United States a clearer path toward the goal of dealing seriously with a serious and growing problem.

Recently, we have heard talk by the Bush administration to the effect that the United States should promote voluntary initiatives to meet our international treaty commitments. Well, that sounds good, but it will not work. I note that, in 1993, the former administration undertook an extensive assessment to formulate the U.S. Climate Change Action Plan, which subsequently developed a wide range of voluntary programs and technology strategies to help the United States reduce domestic emissions to 1990 levels. While these remain laudable and important programs, they have not put us on a path toward significantly reducing greenhouse gas emissions. In fact, rather than accomplishing that goal, by the late 1990s, U.S. emissions were at least 11 percent above those 1990 levels. Clearly then, the next global climate change treaty will have to include binding emission limits by industrialized nations, as well as developing nations, specifically the biggest emitters in the developing world. I am talking about China, India, Mexico, Brazil, and others.

Additionally, as I explained at the time we were debating S. Res. 98, the initial commitment by developing countries could be modest, with the agreement specifying a more rigorous approach to growth and emissions over time. Recent press reports indicate that China, the big emitter, exceeding the emissions of the United States very soon, has already made progress in reducing the growth of its greenhouse gas emissions. That is good news. That is encouraging. A future binding climate change agreement could recognize these efforts and provide market-based mechanisms by which China could obtain technological assistance to expand upon its efforts over time.

An international treaty with binding commitments can and should provide for the continued growth of the world's developing nations. The economic growth of Mexico or China, for example, need not be choked off by unrealistically stringent, inflexible emission reduction targets. The initial commitment could be relatively modest, pacing upwards depending upon various factors, with a specific goal to be achieved within a fixed time period. If properly designed, a binding international treaty can accommodate economic growth and environmental improvement in the developing world. This approach provides the means by which China and other key developing

nations can grow in a more efficient, environmentally sound manner while also making commitments to reduce their fair share of this global climate change burden.

Using this approach, the Bush administration has a historic opportunity to shape, rather than cripple, the international climate change debate by negotiating an agreement that includes all of the largest emitters of greenhouse gases on a global basis.

It is a huge task no doubt, but it is a huge problem, and it confronts the world, not just he occidental but also the oriental—not just the West but also the East. Such an agreement must also include market mechanisms that are unencumbered by layers of bureaucracy; strong provisions for domestic and international sinks, sequestration, and projects that prevent deforestation; and tough enforcement and compliance requirements.

But any such agreement must also be met by an honest effort on America's domestic front. I am, therefore, very concerned that the President's overall budget does not adequately provide the level of funding necessary to support programs and policies that would address U.S. energy and climate change challenges. So I urge the Bush Administration to include all relevant policy aspects in the energy needs assessment currently under review and to examine the total costs—both economic and environmental—in any national energy strategy. I hope the President will work with Congress on these critical issues to develop a constructive, long-term negotiating path for the future. America leads the world in so many important areas—addressing our global climate change challenges should be front and center.

#### TRADE POLICY

Mr. BYRD. Mr. President, I have serious concerns about certain trade policy issues that the Bush administration inherited from its predecessor, but which remain unresolved. I refer to the steel crisis, the failure to formulate a coherent trade policy with respect to China, and the failure to recognize that "fast-track" trade negotiating authority represents both an unwarranted diminution of the Constitutional authority of Congress and an invitation to our trade partners to accelerate their attack on the framework of fair trade.

As I have long maintained, U.S. trade policy cannot be complacent as America's manufacturing plants are moved to low-wage countries, a phenomenon that makes it increasingly difficult for American employers to stay competitive and, at the same time, pay good wages and provide good benefits to their workers. While American workers do benefit from lower prices for imported products, too many have been made worse off, on balance, by globalization. As the columnist Michael Kelly recently pointed out, "What the unionists know is that



globalization ultimately depends on driving manufacturing jobs out of the country in which they live."

Indeed, in many historically high-wage and efficient industries, the inevitable result of complacent trade policy is bankruptcy. The inevitable result of complacent trade policy is bankruptcy. A case in point is the U.S. steel industry. The steel crisis—which is the direct result of an unprecedented surge in imports, particularly dumped and subsidized imports—began in late 1997 and continues to this day. The surge in imports has already led 18 American steel companies—18 companies—to declare bankruptcy. Hear them at the other end of the avenue. Over the past year alone, an estimated 5,000 U.S. steelworkers have lost their jobs.

A great sage once said, "Reflect upon three things and you will not come to sin: Know from where you came, and to where you are going, and before whom you are destined to give an accounting." Let's reflect again on those three things: Know from where you came, and to where you are going, and before whom you are destined to give an accounting. So, let me bring this issue a little closer to home, my home, that is. In 1996, Weirton Steel Corporation, of Weirton, West Virginia, in the very tip of the northern panhandle the eighth largest integrated steel producer in the United States, employed 5,375 of the most skilled workers and managers in the world, using the most up-to-date production technology. That was down from a few years ago. What is it today? Today, in 2001, Weirton employs only 4,111 workers and managers, a loss of over 25 percent from 1996. Weirton just reported that its first quarter sales this year were down 24 percent from last year and that it lost \$75.3 million in the first quarter. Continuation of the status quo in the steel market will not mean continuation of the status quo for Weirton Steel, for it cannot stay in business over an extended period of time in the face of such losses.

Now, by Ohio Valley steel industry standards, Weirton is the lucky one even with such losses. Wheeling-Pittsburgh Steel Corp., the ninth largest U.S. integrated steel producer, was forced last year to declare a Chapter 11 bankruptcy in order to avoid being picked apart by its creditors. I hope that it will soon emerge from bankruptcy with the help of a federally guaranteed loan.

I could talk about the need for a section 201 investigation of "serious injury" to the American steel industry. Such an investigation is necessary, and it is necessary now—the administration should not tie its decision on a 201 investigation to any other trade policy initiative. But, I will save that discussion for another day. Rather, I wish to point out that the administration is sending a damaging signal on its approach to the steel crisis by proposing to rescind \$10 million from the Emergency Steel Loan Guarantee Program.

Because the demands on that program will—in all likelihood—continue to increase, the proposed reduction in funding represents an unacceptable risk of harm to an industry that is vital both to our national defense and the way of life of communities across this Nation.

The emergency guarantee program was made necessary because of the reaction of the financial community to the onset of the steel crisis. With no assurance that the injurious surge in steel imports would abate in the near future, financial institutions were—for the most part—unwilling to restructure steel producers' debts. Thus, Congress acted to provide incentives for private-sector loans to the steel industry. The new program was signed into law on August 17, 1999, and was designed to give qualified U.S. steel producers access to a \$1 billion revolving guaranteed loan fund.

I say, parenthetically, that I was the author of that legislation.

Now is simply the wrong time to be considering rescissions from the emergency guarantee program. There are many steel companies in Chapter 11 bankruptcy, and several of them will undoubtedly request these federally guaranteed loans as a key element in their restructuring programs.

The steel crisis takes us right into the issue of our trade policy toward China. Whatever else one might say about China, it is, without question, an economic behemoth. Our trade deficit with China in 2000 was nearly \$84 billion. In that same year, imports from China totaled \$100.1 billion, accounting for eight percent of total U.S. imports, making China the fourth largest exporter to the United States. Moreover, in February 2001, we imported 97 million tons of finished steel products from China, almost as much as the 100 million tons we imported from Japan!

Even the quickest perusal of Commerce Department and International Trade Commission records demonstrates that China is engaged in dumping steel products in the United States. China has recently been found to be dumping steel wire rope, as well as—in preliminary determinations—hot-rolled steel and steel concrete reinforcing bars.

What I am trying to tell the Senate, and the administration—if the administration will listen, if the administration will hear—is that China may not intend to play the trade game by the traditional rules. Indeed, as we have seen in recent weeks, China does not play the international relations game by acceptable norms. The *Weekly Standard* opined at the height of the reconnaissance plane crisis that:

The United States must respond in ways that directly affect China's interests. . . . The Chinese believe, with good reason, that the American business community has a hammerlock on American policy toward China. . . .

Let us resolve to demonstrate that we can respond effectively to any Chi-

nese attempt to push the envelope—not by indulging in angry overreaction, but by doing whatever is reasonable and practicable and according to the dictates of common sense, to restore Congressional authority to review China's trade status on an annual basis. The concept of "Permanent Normal Trade Relations" is premised on the assumption of normality in a bilateral relationship, and our bilateral relationship with China is anything but normal.

This brings me, now, to the issue of "fast-track." The President wants fast track. The administration wants fast track. The administration says it needs this deviation from the traditional prerogatives of Congress in order to negotiate multilateral trade agreements. Let me be clear: I am not in favor of attaching myriad amendments to trade agreements negotiated by the President.

I am not for having the Congress hang up on every import of every toothbrush or violin string or piece of cloth.

There may be, however, a few very important items—a few—that Congress will need to consider in detail before proceeding to a final vote on a multilateral trade agreement.

Under the Constitution, which I hold in my hand, Congress has this responsibility. We ought to read it. Again, I say I am not for looking at every comma, semicolon, colon, hyphen—every little jot and tittle about trade agreements. Who wants to engage themselves in debate over minuscule matters that may appear in a trade agreement?

But there are some very important items, limited to three or four or five huge questions. We have questions we need to debate. We have issues we need to debate in connection with these trade matters, and we should debate them. Congress has a responsibility to debate them before Congress considers a final vote on a multilateral trade agreement. We have a responsibility to do that.

Fast track? Not for me. Let's not be in all that big a hurry. We don't need to be in such a hurry. What it means is shut Congress out of the debate. Just vote up or down. The people's representatives, the elected representatives of the people in this country—here, in this body, in this Chamber—shut them out. What we want is fast track, says the administration.

I say no. No fast track. Let the people speak, through their elected representatives, to trade agreements. I don't mind limiting it to very few, a handful, a half dozen questions or issues to be voted on. It is important that the Senate debate these matters.

Here is an example. A key objective of many of our trading partners in any multilateral negotiation is to weaken U.S. antidumping, countervailing duty, and safeguard laws. As a matter of fact, I read the other day that several of the Free Trade Area of the Americas countries are proposing elaborate



changes to our antidumping and countervailing duty laws. Does anyone seriously believe that their objective is anything less than to gut the effectiveness of those laws? Now, why should we not debate that? Why should we not be able to offer an amendment or amendments? Does anyone seriously believe that their objective is anything less than to gut the effectiveness of those laws? Does anyone seriously believe that, in any full negotiating round, our hemispheric trading partners will not work in concert with Japan, Korea, and the European Union to eviscerate the framework of fair trade as we know it?

Some of the FTAA countries undoubtedly also have in mind that our trade laws be interpreted and applied by multilateral tribunals—in other words, the chapter 19 model. Under Chapter 19 of NAFTA, persons who, in many instances, are not even trained in U.S. law, and who have a strong personal or professional interest in weakening our trade laws, are called to interpret and apply them. The result should have been predictable: enforcement of those laws has been compromised. Senators don't have to believe me. Just read retired U.S. Court of Appeals Judge Malcolm Wilkey's dissent in the Canadian softwood lumber extraordinary challenge determination! Judge Wilkey contrasts the promises that were made to Congress in connection with Chapter 19—particularly that it would lead to no change in U.S. law—with the frequent refusal of foreign panelists to apply basic concepts of American administrative law such as the standard of review. He also raises serious questions about whether Chapter 19 ignores conflicts of interest on the part of panelists that would be disqualifying under our rules of ethics.

My conclusion from all of this is simple. If "trade negotiating authority," to use the administration's term for fast-track, means that Congress agrees to surrender its responsibility to thoroughly evaluate—and refine, if necessary—those provisions of proposed international agreements that might necessitate changes to our trade laws and regulations, I want nothing of it.

In considering these three issues—the steel crisis, trade with China, and fast-track—I am motivated by a deep and abiding concern for the hardworking men and women of my country, America. They have been hammered by deindustrialization and disinvestment. Both the public sector and the private sector are to blame for these trends, as well as politicians, which have been long in the making. But there is one thing we can say with certainty: the trade liberalization model that has been relied upon by recent administrations—Democratic and Republican—does not help. It limits the ability of the United States to use import restrictions to ensure fair trade in our markets while giving foreign countries such as China virtually a free hand in excluding selected U.S. exports from their markets. What is fair about that?

What is free about that? That isn't free trade. In light of the current situation in many of our basic industries, this imbalance can no longer be tolerated.

We must remember from whence we came. I happen to go back to the hills and the hollows and the Mountain State of West Virginia, which was born during the Civil War, to renew my love, to renew my recollection, and to reinvigorate my understanding of what the people deserve and what the people want.

We must remember from whence we came and before whom we are destined to give an accounting. So remember from whence we came, remember where we are going, and remember before whom we must give an accounting.

We must stand up for the working men and women of America, the people who have not forgotten God's edict that he delivered when he drove Adam and Eve from the Garden of Eden, to earn thy bread by the sweat of thy brow. Those are the people we must remember.

We must stand up for them and stand against any initiative that would undermine the framework of "fair trade." We must not allow anyone in the name of "free trade" or anyone in the name of "fast track" to destroy the way of life of communities across the Nation.

No, Mr. President, we don't need fast track. We need to live by this Constitution which I hold in my hand. We swear an oath in this Senate to support and defend the Constitution against all enemies, foreign and domestic. Let's watch the enemies in our midst. They may be us.

Mr. President, I yield the floor.

#### TRIBUTE TO ROBBIE CALLAWAY

Mr. THURMOND. Mr. President, on April 7, 2001, Robbie Callaway, Senior Vice President for Boys & Girls Clubs of America, was honored with the organization's highest award for professional service: the Thomas G. Garth Character and Courage Award.

Thomas G. Garth served as president of Boys & Girls Clubs of America from 1988 until his death in 1996. It was under his leadership that Boys & Girls Clubs began their aggressive outreach movement into America's most distressed communities and evolved into one of our Nation's premier youth development organizations. It was Tom's dream that every disadvantaged youth in America have access to a Boys & Girls Club.

The Thomas G. Garth Character and Courage Award is presented each year to the professional in the Boys & Girls Clubs movement that best exemplifies the qualities of character and courage, the very qualities that made Tom Garth an extraordinary leader and role model.

Those of us who are fortunate to have known Robbie Callaway for many years are not surprised by his receipt of the Thomas G. Garth Character and Courage Award. Character and courage have

defined his service to the Nation's youth. Not only is Robbie's enthusiasm contagious, but he also sets an example for others to follow.

Robbie has dedicated himself to ensuring that every one of our Nation's youth is given an opportunity at a better life. Countless young people and communities throughout America have benefitted as a result. The progress that Boys & Girls Clubs of America have made in public housing, Native American lands, and other inner-city and rural communities is due in large part to his relentless spirit and his unwillingness to take "no" for an answer. He believes in his heart, as did Tom Garth, that it is Boys & Girls Clubs of America's obligation to reach every child in need and at-risk.

Robbie is also a founding board member of the National Center for Missing and Exploited Children, where he currently serves as chairman-elect. As a result of the National Center's extensive relationship with Federal, State, and local law enforcement, along with corporate America, it is the leading child safety organization in America. The National Center also has a strong working partnership with Boys & Girls Clubs of America. Together, these two fine organizations strive to keep our Nation's youth out of harm's way.

Robbie has received numerous awards throughout his career. Yet he will tell you his greatest accomplishment is raising, along with his wife Sue, two fine children, Adam and Maureen.

The United States of America is a better place because of people purchase Robbie Callaway. His selfless contributions have impacted the lives of this Nation's youth and will continue to do so for generations to come. We owe him a debt of gratitude.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY last month. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

Today, Mr. President, I would like to detail a heinous crime that occurred February 6, 2000 in Tucson, Arizona. A 20-year-old gay University of Arizona student was sitting at a cafe when a man came up behind him and stabbed him with large knife. Witnesses heard the perpetrator saying that he had "killed a f---ing faggot," "this is what gays deserve," and "let this be a warning to the gay community." The victim was treated at a local hospital and released. The attack spurred an anti-hate rally on campus a few days later drawing over 1,000 people.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol

that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

#### REMOVAL OF THE UNITED STATES FROM THE U.N. HUMAN RIGHTS COMMISSION

Mr. LIEBERMAN. I rise to express my dismay at the Economic and Social Council's vote yesterday removing the United States from membership on the United Nations Human Rights Commission for the first time since its inception in 1946.

The United States was a founding member of this distinguished body and has been an active member since its establishment. Under the chairmanship of Eleanor Roosevelt, the U.S. was instrumental in helping to draft the Universal Declaration of Human Rights, the very first work of the Commission and one that deeply reflects longstanding and treasured American values. For over 50 years, the United States has worked within the Commission to codify fundamental human rights and practices. Through the Commission we have also fought for vigorous investigations of grave breaches of human rights wherever they occurred and have raised our voice in defense of freedom on behalf of those whose own voices were silenced.

The Commission's membership has grown along with the membership in the United Nations as newly independent nations have joined the world bodies. However, the inclusion of countries with extremely poor human rights records, such as Sudan and Cuba, on the Commission is troubling. And it means that we will have to work even harder to promote universal standards so that one day all people can enjoy the freedom, liberty and equality we too often take for granted here at home.

We may never know why so many countries voted against us in the secret balloting. I am afraid, however, that it may reflect widespread dissatisfaction with what is perceived to be a go-it-alone attitude in foreign affairs by the new administration. Our friends and allies have reacted negatively to a number of President Bush's pronouncements and policies, including rejection of the Kyoto Climate Change Treaty, his opposition to the International Criminal Court, and his willingness to abandon the ABM Treaty before we have a workable missile defense plan in place. This vote clearly demonstrates that there can be unanticipated and damaging consequences to our actions on the world stage. The U.S. cannot take our friends for granted and must remain vigilant against the anti-U.S. efforts of our enemies.

The United States now becomes an observer on the U.N. Human Rights Commission but we can, indeed we must, remain actively engaged in defending human rights throughout the world. We have lost our vote but not our voice. The Commission will be

weaker without our membership and our leadership. But the real losers in yesterday's election were the oppressed, people in many parts of the world who desperately need the support of the United States and the United Nations to stop abuses of their basic rights and to bring the light of freedom into their lives.

I am terribly disappointed by the vote against U.S. membership on the Commission. However, we must not allow this vote to deter our efforts to promote and defend human rights around the world. Our commitment and leadership in advancing freedom, equality and justice for all people derives from the principles on which our Nation was founded and which continue to guide us today.

#### THE DISASTER TAX EXEMPT ACT

Mr. GRAHAM. Mr. President, as those of us from our Nation's southern and eastern coastal areas know, living in the sunshine of summer can be a double-edged sword. As Floridians enjoy the best weather Mother Nature has to offer, we must not neglect preparations for the start of hurricane season on June 1, 2001. I am pleased to join my colleague from Florida, Senator NELSON, and my colleagues from Texas in introducing legislation that will help protect Florida from economic devastation as sunny days and warm water are accompanied by the potential for catastrophic disaster.

Our legislation amends section 501(c) of the Internal Revenue Code to grant tax-exempt status to State chartered, not-for-profit insurers serving markets in which commercial insurance is not available. In Florida, this legislation will assist the Florida Windstorm Underwriting Association, FWUA, and the Florida Residential Property and Casualty Joint Underwriting Association, JUA.

The Florida Windstorm Association was created in 1970. Twenty-two years later, in 1992, the legislature authorized the Joint Underwriting Association. These organizations operate as residual market mechanisms. They provide residential property and casualty insurance coverage for those residents who need, but are unable to procure, insurance through the voluntary market.

The JUA was created in direct response to \$16 billion in covered losses during Hurricane Andrew. The destructive force of Andrew rendered a number of property insurance companies insolvent. Other firms reacted to the catastrophe by withdrawing from the Florida market.

During those fortunate years when Florida is not hit by major hurricanes or other natural disasters, the FWUA and JUA take in more premiums than are paid out in claims and expenses. Florida law prevents those funds from being distributed so that needed reserves will accumulate in preparation for disasters we know will come in the future.

Unfortunately, the Internal Revenue Code penalizes Florida for this responsible, forward thinking practice. It requires that 35 percent of those funds be sent to Washington, as Federal income taxes rather than be used to accumulate reserves. Designating State chartered, non-profit insurers as tax-exempt entities will help Florida amass the necessary reserves to pay claims brought on by a catastrophe.

State law also authorizes the FWUA and the JUA to assess property insurance policyholders for losses generated by natural disasters. Tax exemption will reduce the frequency and severity of assessments levied against individual policyholders, because higher reserves will be available to cover losses.

Mr. President, though nearly a decade has passed, Hurricane Andrew is still a nightmarish memory for Floridians. The National Weather Service expects this hurricane season to be another active storm season. It is imperative that the Federal Government avoids the comfortable habit of ignoring lessons presented by Andrew and other recent catastrophes.

Similar legislation has been introduced in the House of Representatives and enjoys bipartisan support from Florida's congressional delegation.

Our legislation is extremely important to homeowners and businesses throughout Florida, all of whom are subject to assessment if reserves are not sufficient to pay claims in the event of a catastrophe. Florida remains sensitive to the perils of nature. Enactment of this legislation will permit our State to prepare for the next Hurricane Andrew while alleviating some of the economic hardship exacted on Florida property owners.

#### ADDITIONAL STATEMENTS

##### VERMONT GRANITE MUSEUM

• Mr. LEAHY. Mr. President, this week I had the pleasure of attending the raising of the old Jones Brothers granite shed in Barre, Vermont. This historic wooden building built in 1895 will be raised four feet off the ground for several months while a new foundation is poured and the building is secured. Once one of the largest granite manufacturing plants in the world, this building will soon be home to the Vermont Granite Museum, a tribute to one of Vermont's oldest and proudest industries. As the grandson of a stonecutter I cannot think of a better way to honor this heritage than a world class museum and learning center in the heart of Vermont. I would like to share with my colleagues the comments of my fellow Vermonter, Edwin Granai and Marsha Davis, who spoke eloquently of this building, its history and what the museum will mean to our state.

I ask consent that the statements of Edwin Granai and Marcia Davis be printed in the RECORD.

The statements follow:

REMARKS OF EDWIN GRANAI

"In Italia," my grandmother used to say, "Una volta un portiere sempre un portiere (Once a porter always a porter)." At the beginning of the last century in Italy those born into poverty lived a life of poverty. The rigid class structure of the monarchy would prevail in Italy for another half century. My grandparents did not have a half century to wait, so they came America, the "Promised Land." My grandfather emigrated from the quarries of Carrara, Italy, to the quarries of Barre, Vermont to find work and above all opportunity.

The Promised Land did not materialize for him. His earnings never rose above subsistence level and he lost his health at mid-life. He died in his forties with empty pockets and dust-filled lungs. My father, after completing the fourth grade at Brook Street School, went to work at the age of ten years in 1907 in this very building to help support his family. In time America did become the Promised Land for my father and for his children, of which I am one. But my grandfather died as he came, poor.

Other immigrants made it in the first generation. Last Fall I stayed an extra day in Washington to visit the recently completed National Cathedral. It is one of the world's great churches. Roger Marigi was the Master Carver for a quarter century during the completion years. His grandfather came to Barre at the same time mine did. Marigi says: "My grandfather came to America from Italy in 1890 . . . He went to Barre, Vermont, because all the Italian stone carvers were up there. That's where you got your job . . . You went up to Barre because that's where the work was. Granite. You stayed there and learned . . ."

The work was here because we have Barre Gray, the durable and aesthetically pleasing stone that adorns memorials, buildings, and plazas throughout the world. And we had the skilled quarriers, artisans and sculptors to extract and shape that stone. They came from Italy, Scotland, Sweden, England, Spain, France, Canada, and around the world to Barre.

The work is still here for the same reasons. We have a 4500-year supply of Barre Gray. And we still have the finest quarriers, manufacturers, artisans and sculptors shaping that stone. Sculptors from all over America and around the world come to Barre today to learn from and work with Barre stone artisans.

These assets—the stone and skilled workers—are like the foundation we dedicate today. This foundation is the starting point for the restoration of this historic building. Our granite and our skilled workers are both out heritage and the starting point for the renewal of Barre's granite industry.

At the beginning of this new century we live in a very different world from that of our fathers. The citizens of Barre City and Barre Town recognized this when they gathered in 1994 to brainstorm their vision for the future. They saw the challenge of the global marketplace. They recognized that in today's world economy our granite industry is in fierce competition with lesser quality stone and inferior artistry. In the vision of the Vermont Granite Museum they recognized the value of combining and displaying the wisdom of the past with a modern learning environment that will create a dynamic marketing force for the industry. The educational programs of the museum will invigorate the worldwide learning connection. The tourist benefit, 90,000 people per year, will infuse six million dollars annually into the central Vermont economy. More importantly together they will create a new level

of awareness for the beauty, function and utility of Barre Gray in all its uses, and a new level of appreciation for stone finishing and carving as both art and vocation.

This is an ambitious project and it is happening thanks in large part to everyone here assembled. I grew up in Barre and maintain strong family and community ties. I have never seen such a strong focus and wide spread support for a community project. The scale requires it.

I had never been in this building until I toured it with Marcia a year and a half ago. I came to see what we were starting with and to imagine what it could become. I was not prepared for what happened to me within minutes of my entry. Suddenly and unexpectedly I was keenly aware of the ghost of my deceased father working here as a child and young man. His presence was so real it penetrated my heart and threatened my composure. It took my breath away. And, when I got my breath, I then thought of my grandfather and said a silent prayer of thanks to Coriolano for his courage to leave his homeland to come to America.

I will never forget that moment. It profoundly deepened my connection to my heritage here in Barre, to my father and grandfather through the work that they did and the sacrifices they made. It connected me in a new way to their courage and spirit, and in so doing strengthened my determination to put my shoulder to this project. The pay-off of this project began for me on that day when the rehabilitation of this building had barely begun. I can only imagine the impact of the finished museum. If I seem enthused about this project it is because I am. And my enthusiasm increases each step of the way.

As we dedicate this foundation of what is to be a world class museum and learning center we are half way to our twelve million-dollar goal. That is remarkable. But just as remarkable is the energy that has emerged around this project. It is the kind of energy that will create a new prosperity for this community and region. The glass is half full—enough to toast the courage and fortitude of our ancestors and to say with certainty to our heirs that the future of Barre is as solid as the rock—Barre Gray—upon which it is build.

REMARKS OF MARCIA A. DAVIS, EXECUTIVE DIRECTOR, VERMONT GRANITE MUSEUM OF BARRE

Welcome.

We are here today to celebrate Vermont's granite industry: its past, present and future.

The Jones Brothers granite shed represents the industry's distinguished past. Built in 1895, with Douglas Fir timbers, brought by rail from the Pacific Northwest, this building was one of the first straight shed designs to be constructed in Barre to house water powered overhead cranes.

Who were the Jones Brothers?

The Jones Brothers were sons of Hugh Jones, whom at age 2 immigrated to America with his parents from Wales, and settled in Ebensburg, Pennsylvania. When the Civil War broke out, Hugh Jones enlisted and became the first Union soldier to be killed at the Battle of Fort Stedman, Virginia, in 1865, leaving behind a widow and six children all under the age of 13.

Fifteen years later, the two older Jones Brothers, Marshall, and Seward, "imbued with faith in an industry, in themselves, in their friends, and in a nation", opened their own wholesale monumental business in 1882 in Boston, Massachusetts. Marshall was 29 years old. Seward was four years younger.

Their monument dealership dealt in light pink and gray granite from Scotland, darker

granites from Sweden, Norway, and Finland, and native granite from Quincy, Massachusetts.

Later on two younger brothers, Dayton and Hugh Jones, joined the company, and they opened an office in Aberdeen, Scotland in 1884.

While searching for granites in New England, the Jones Brothers were introduced to Barre Gray granite. They described it as having a "color and texture far surpassing the gray Scotch in beauty and quality".

In 1886, they decided to expand again, purchasing a dark gray granite quarry on Millstone Hill, Barre, and leased a granite manufacturing shed from Mackie & Simpson, on 46 Granite Street, the very same site of the Socialist Block, now known as the Old Labor Hall.

The Jones Brothers Company also owned and operated the Wells Lamson Quarry in Barre Town.

The Jones Brothers Company was the first granite enterprise to advertise finished granite monuments nationally in 1927.

The Jones Brothers Company employed as many as 500 people on this very site.

The Jones Brothers Company was referred to as the largest and oldest granite manufacturing plant in the world. The business closed in 1975.

The company's trademark, registered in 1926, portrays an angel with arms and wings outstretched above a rectangular memorial which says "Guardian Memorials of Everlasting Beauty. To mark the place with beauty forever."

And they did.

Thousands of monuments, family mausoleums, memorials, and buildings were designed, commissioned and produced on this very site for eighty years.

Some of the more notable structures located throughout the country are:

The Green Beret Memorial, dedicated by John Wayne, in Fort Bragg, No. Carolina  
The Beacon Monument for the Massachusetts State House, in Boston, Massachusetts

Sixteen Massive Pillars in the nave of St. John the Divine Cathedral, in New York City (Eight of which were six feet in diameter, 38 feet high, weighing 100 tons each, and took a year to produce, transport and set them prior to construction of the cathedral itself.)

The Brigham Young Memorial in Salt Lake City, Utah

The Shevchenko Memorial in Washington, DC

The Coal Miners Memorial in West Virginia  
The U.S. President William Henry Harrison Memorial

And mausoleums for the Woolrich, Firestone, Heinz, Hood, Hershey, Ringling and Webb families.

With technological advances in power, transportation, and machinery came the "boom years" of the granite industry. Between 1880 and 1900, in Barre alone, the population grew from 2060 to 11,754. Montpelier, Northfield, Woodbury, Hardwick, Bethel and South Ryegate were full of granite sheds and quarries.

Waves of immigrants came from Scotland, Italy, England, Ireland, France, Spain, Canada, Sweden, Finland, and Denmark to work in Vermont's stone industry. They came through Ellis Island, Boston and other ports of entry, many of them having to leave their families behind, yet full of hope for a better life in America.

These men cut, hauled, shaped, lettered and carved stone with a passion for their families, and for Vermont, ultimately becoming Americans.

Even under extremely difficult working conditions, these men and this industry not

only survived, but flourished, transforming this country's landscape as we know it today.

Today, granite countertops are to be expected in luxury homes and offices. NASA's subcontractors use granite precision surface plates to check for flaws or aberrations in the shuttle's engine parts, as do numerous other manufacturers for products that require the most stable and accurate conditions are required for manufacturing.

No one can predict the future, however, we do know the granite industry is up for whatever challenges may come its way, and that will become a new exhibit.●

#### CELEBRATING THE SCHIFFER CANCER CENTER OF WHEELING HOSPITAL

● Mr. ROCKEFELLER. Mr. President, I rise today to celebrate the recent accomplishment of one of West Virginia's finest health care facilities, the Schiffer Cancer Center at Wheeling Hospital. Wheeling Hospital just became one of only two community hospitals in the country and the ninth facility in the world to become a part of the Partnership in Science with the Division of Clinical Sciences of the National Cancer Institute in Bethesda, MD. This is an incredible and important accomplishment for this facility and the citizens of West Virginia.

Wheeling Hospital, which is located in Wheeling, WV, is an acute care community hospital, which just celebrated its 150th anniversary last year. Located right in the heart of the northern panhandle in Ohio County, the hospital serves Ohio County, parts of Brook and Marshall Counties, and eastern Ohio State residents bordering the Ohio River in addition to residents of southwestern Pennsylvania and across the State of West Virginia.

I had the pleasure of visiting Wheeling Hospital in 1993 for the dedication of their Howard Long Wellness Center. The facility employs approximately 2,000 people and maintains five centers of excellence including: cancer; cardiac, including open heart surgery; women's health; trauma; and the Howard Long Wellness Center, which is 55,000 sq. feet. The recent partnership between Wheeling Hospital and the National Center Institute is one of the greatest achievements in cancer care that has happened in the Ohio Valley. With this partnership, qualified cancer patients in the area will be able to participate in a select number of new cancer research protocols without leaving home. They will also be empowered to consult with and obtain second, third, even fourth opinions about their condition and treatment. Additionally, the partnership increases education opportunities for physicians, nurses, and other health care professionals in the area. Residents of West Virginia, east-

ern Ohio, and southwestern Pennsylvania will all benefit from this partnership.

I am so thankful to Wheeling Hospital, its CEO, Don Hofreuter, its doctors and nurses, and all of its employees for all of the amazing work that they continue to do to serve their community. The people of Ohio County, West Virginia, and the surrounding area are indeed fortunate to have you as part of our community. Congratulations on your 150th anniversary. ●

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated.

By Mr. MURKOWSKI (for himself, Mr. BINGAMAN, and Mr. KYL):

S. 834. A bill to provide duty-free treatment for certain steam or other vapor generating boilers used in nuclear facilities; to the Committee on Finance.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 835. A bill to establish the Detroit River International Wildlife Refuge in the State of Michigan, and for other purposes; to the Committee on Environment and Public Works.

#### ADDITIONAL COSPONSORS

S. 115

At the request of Mr. FEINGOLD, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 115, a bill to amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines, and for other purposes.

S. 632

At the request of Mr. NELSON of Florida, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 632, a bill to reinstate a final rule promulgated by the Administrator of the Environmental Protection Agency, and for other purposes.

S. 661

At the request of Mr. THOMPSON, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 661, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel exercise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

S. 778

At the request of Mr. HAGEL, the names of the Senator from South Dakota (Mr. DASCHLE), the Senator from New Mexico (Mr. BINGAMAN), the Senator from California, (Mrs. BOXER), the

Senator from Minnesota (Mr. WELLSTONE), and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 778, a bill to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the immigration and Nationality Act by extending the deadline for classification petition and labor certification filings.

S. 830

At the request of Mr. CHAFEE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 830, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. CON. RES. 17

At the request of Mr. SARBANES, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. Con. Res. 17, a concurrent resolution expressing the sense of Congress that there should continue to be parity between the adjustments in the compensation of members of the uniformed services and the adjustments in the compensation of civilian employees of the United States.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI (for himself, Mr. BINGAMAN, and Mr. KYL)

S. 834. A bill to provide duty-free treatment for certain steam or other vapor generating boiler used in nuclear facilities; to the Committee on Finance

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

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

S. 834

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Generator Tariff Elimination Act".

#### SEC. 2. DUTY-FREE TREATMENT FOR CERTAIN BOILERS USED IN NUCLEAR FACILITIES.

(a) IN GENERAL.—Chapter 84 of the Harmonized Tariff Schedule of the United States is amended by striking subheading 8402.11.00 and inserting the following new subheadings, with the article description for subheading 8402.11 having the same degree of indentation as the article description for subheading 8402.12.00:

|            |   |      |                            |     |
|------------|---|------|----------------------------|-----|
| 8402.11    | Watertube boilers with a steam production exceeding 45 t per hour ..... | Free |                            |     |
| 8402.11.10 | For use in nuclear reactors .....                                       | 5.2% | Free (A, CA, E, IL, J, MX) | 45% |
| 8402.11.20 | Other .....   |      |                            | 45% |

## (b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

(2) APPLICATION TO LIQUIDATIONS OR RELIQUIDATIONS.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law and subject to paragraph (3), any article described in subheading 8402.11.10 of the Harmonized Tariff Schedule of the United States, as added by subsection (a) that was entered, or withdrawn from warehouse for consumption—

(A) on or after January 1, 2000, and

(B) before the date that is 15 days after the date of the enactment of this Act,

shall be liquidated or reliquidated as if such subheading 8402.11.10 applied to such entry or withdrawal, and the Secretary of the Treasury shall refund any excess duty paid with respect to such entry.

(3) REQUESTS.—Liquidation or reliquidation may be made under paragraph (2) with respect to any entry only if a request therefor is filed with the Customs Service, within 180 days after the date of the enactment of this Act, that contains sufficient information to enable the Customs Service—

(A) to locate the entry; or

(B) to reconstruct the entry if it cannot be located.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 835. A bill to establish the Detroit River International Wildlife Refuge in the State of Michigan, and for other purposes; to the Committee on Environment and Public Works.

Mr. LEVIN. Mr. President, I am pleased today to introduce the Detroit River International Wildlife Refuge Establishment Act. The Detroit River is one of North America's greatest rivers and is a part of our Michigan heritage. It not only joins the Upper Great Lakes to the Lower Great Lakes, but it also connects Canadians and Americans through an inseparable border. This great resource is one that we must work hard to protect so that generations to come can benefit from its economic, recreational and ecological value.

The Detroit River provides a home to communities of unique plants and animals and rare, threatened and endangered species. The Michigan Department of Natural Resources and Ontario Ministry of Natural Resources recognize the Detroit River as having one of the highest diversities of wildlife and fish in all of the Great Lakes. More than 29 species of waterfowl and 65 kinds of fish make their home in the Detroit River. The river is an important waterfowl migration corridor where an estimated three million ducks, geese, swans, and coots migrate annually. The Detroit Audubon Society has documented over 300 species of birds in the Detroit-Windsor area, and approximately 150 bird species nest near the river.

The Detroit River also provides shipping channels which link Detroit to a worldwide economy. Further, approximately half of the over 870,000 pleasure boats registered in Michigan are used on the Detroit River and Lake St. Clair, in part to fish for the estimated

10 million walleye that ascend the Detroit River each spring from Lake Erie to spawn. These walleye have helped create an internationally renowned sport fishery.

In 1998, the Detroit River was designated an American Heritage River which will assist the community in a revitalization effort to celebrate the river's history and heritage. Further, it is anticipated that the Detroit River will receive a Canadian Heritage River designation this year, making it the first international heritage river system in North America.

This is a river that we need to protect. Fish and wildlife habitat in the Lower Detroit River continue to be destroyed and degraded. It has been estimated that over 95 percent of the historical, coastal wetlands along the river have been lost to development. This legislation would protect remaining high quality habitat before they are lost to further development and rehabilitate and enhance degraded ones.

Specifically, this legislation would authorize the Secretary of Interior to acquire American lands adjacent to the Detroit River in order to protect its wildlife and habitat. It further authorizes the President and Secretary of Interior to negotiate with Canadian officials to create a Detroit River International Wildlife Corridor in the lands adjacent to the River, including both American and Canadian lands. The legislation authorizes the Secretary to procure land from willing sellers or donors, islands and other natural features along the Detroit River, running some 18 miles from Mud Island to Pt. Mouillee. The legislation would also authorize the Secretary to negotiate cooperative management agreements with landowners living along the Detroit River.

The Detroit River International Wildlife Refuge Establishment Act will provide the protections necessary to save and preserve this priceless treasure for generations to come.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 372. Mr. CRAIG proposed an amendment to amendment SA 358 proposed by Mr. JEFFORDS to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

SA 373. Mr. BYRD (for himself and Mr. DEWINE) proposed an amendment to amendment SA 358 proposed by Mr. JEFFORDS to the bill (S. 1) supra.

SA 374. Mrs. CARNAHAN submitted an amendment intended to be proposed by her to the bill S. 1, supra; which was ordered to lie on the table.

SA 375. Mr. KENNEDY proposed an amendment to amendment SA 358 proposed by Mr. JEFFORDS to the bill (S. 1) supra.

SA 376. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 377. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 372. Mr. CRAIG proposed an amendment to amendment SA 358 pro-

posed by Mr. JEFFORDS to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965; as follows:

On page 29, between lines 14 and 15, insert the following:

#### "SEC. 16. FUNDING RULE.

"(a) FINDINGS.—Congress makes the following findings:

"(1) Adjusted for inflation, the amount of money Federal, State, and local governments spend per public school student has nearly doubled over the past 30 years.

"(2) This doubling of real, per-pupil spending has had no effect on test scores.

"(3) In 1965, the Federal Government enacted title I of the Elementary and Secondary Education Act of 1965 to eradicate the achievement gap between economically disadvantaged students and their more advantaged peers.

"(4) In 2001 that achievement gap persists, unaffected by the \$120,000,000,000 the Federal Government has spent on such title I.

"(5) In 1996 the Department of Education reported that 'The progress of [part A of title I] participants on standardized tests and on criterion-referenced tests was no better than that of nonparticipants with similar backgrounds and prior achievement'.

"(b) FUNDING RULE.—Notwithstanding any other provision of this Act, a State shall be eligible for an increase in the amount of funds made available under this Act from one fiscal year to the next fiscal year (after adjusting for increases in the Consumer Price Index for All Urban Consumers as published by the Bureau of Labor Statistics) when the State meets the requirements for adequate yearly progress for the State under section 1111(b)(2) for the school year preceding the fiscal year for which the determination is made, except that nothing in this subsection shall be construed to provide funds to a State under this Act for any fiscal year in an amount that is less than the amount of funds provided to the State under this Act for fiscal year 2001."

SA 373. Mr. BYRD (for himself and Mr. DEWINE) proposed an amendment to amendment SA 358 proposed by Mr. JEFFORDS to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965; as follows:

On page 586, between lines 18 and 19, insert the following:

#### SEC. 405. GRANTS TO REDUCE ALCOHOL ABUSE.

Title IV (20 U.S.C. 7101 et seq.) is further amended by adding at the end the following:

#### "PART E—GRANTS TO REDUCE ALCOHOL ABUSE

#### "SEC. 4501. GRANTS TO REDUCE ALCOHOL ABUSE.

"(a) IN GENERAL.—The Secretary, in consultation with the Administrator of the Substance Abuse and Mental Health Services Administration, shall award grants, on a competitive basis, to local educational agencies to enable such agencies to develop and implement innovative and effective programs to reduce alcohol abuse in secondary schools.

"(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), a local educational agency shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

“(1) a description of the activities to be carried out under the grant;

“(2) an assurance that such activities will include 1 or more of the proven strategies for reducing underage alcohol abuse as determined by the Substance Abuse and Mental Health Services Administration;

“(3) an explanation of how activities to be carried under the grant that are not described in paragraph (2) will be effective in reducing underage alcohol abuse, including references to the past effectiveness of such activities;

“(4) an assurance that the applicant will submit to the Secretary an annual report concerning the effectiveness of the programs and activities funded under the grant; and

“(5) such other information as the Secretary determines appropriate.

“(c) STREAMLINING OF PROCESS FOR LOW-INCOME AND RURAL LEAS.—The Secretary, in consultation with the Administrator of the Substance Abuse and Mental Health Services Administration, shall develop procedures to make the application process for grants under this section more user-friendly, particularly for low-income and rural local educational agencies.

“(d) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section, \$25,000,000 for fiscal year 2002, and such sums as may be necessary in each of the 6 subsequent fiscal years.

“(2) RESERVATIONS.—

“(A) SAMHSA.—The Secretary shall reserve 20 percent of the amount appropriated for each fiscal year under paragraph (1) to enable the Administrator of the Substance Abuse and Mental Health Services Administration to provide alcohol abuse resources and start-up assistance to local educational agencies receiving grants under this section.

“(B) LOW-INCOME AND RURAL AREAS.—The Secretary shall reserve 25 percent of the amount appropriated for each fiscal year under paragraph (1) to award grants under this section to low-income and rural local educational agencies.”.

**SA 374.** Mrs. CARNAHAN submitted an amendment intended to be proposed by her to the bill S. 1, to extend programs and activities under the Elementary and Secondary Education Act of 1965; which was ordered to lie on the table; as follows:

On page 319, line 4, insert “, including teaching specialists in core academic subjects” after “principals”.

On page 326, line 1, insert “, including strategies to implement a year-round school schedule that will allow the local educational agency to increase pay for veteran teachers and reduce the agency’s need to hire additional teachers or construct new facilities” after “performance”.

On page 327, line 2, insert “as well as teaching specialists in core academic subjects who will provide increased individualized instruction to students served by the local educational agency participating in the eligible partnership” after “qualified”.

On page 517, line 18, strike “and”.

On page 517, line 20, strike the period and insert “; and”.

On page 517, between lines 20 and 21, insert the following:

“(I) alternative programs for the education and discipline of chronically violent and disruptive students.

On page 528, line 11, strike “and”.

On page 528, line 14, strike the period and insert “; and”.

On page 528, between lines 14 and 15, insert the following:

“(16) alternative programs for the education and discipline of chronically violent and disruptive students.

On page 539, line 10, strike “and”.

On page 539, between lines 10 and 11, insert the following:

“(E) alternative programs for the education and discipline of chronically violent and disruptive students; and”.

**SA 375.** Mr. KENNEDY proposed an amendment to amendment SA 358 proposed by Mr. Jeffords to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965; as follows:

At the end, add the following:

**SEC. 902. SENSE OF THE SENATE; AUTHORIZATION OF APPROPRIATIONS.**

(a) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should appropriate \$3,000,000,000 for fiscal year 2002 to carry out part A title II of the Elementary and Secondary Education Act of 1965 and thereby—

(1) provide that schools, local educational agencies, and States have the resources they need to put a highly qualified teacher in every classroom in each school in which 50 percent or more of the children are from low income families, over the next 4 years;

(2) provide 125,000 new teachers with mentors and year-long supervised internships; and

(3) provide high quality pedagogical training for every teacher in every school.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out title II of the Elementary and Secondary Education Act of 1965—

(1) \$3,500,000,000 for fiscal year 2003;

(2) \$4,000,000,000 for fiscal year 2004;

(3) \$4,500,000,000 for fiscal year 2005;

(4) \$5,000,000,000 for fiscal year 2006;

(5) \$5,500,000,000 for fiscal year 2007;

(6) \$6,000,000,000 for fiscal year 2008.

**SA 376.** Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1, to extend programs and activities under the Elementary and Secondary Education Act of 1965; which was ordered to lie on the table; as follows:

On page 577, between lines 15 and 16, insert the following:

**SEC. 404. SCHOOL SAFETY ENHANCEMENT.**

Title IV (20 U.S.C. 7101 et seq.) is further amended by adding at the end the following:

**“PART D—SCHOOL SAFETY ENHANCEMENT”**

**“SEC. 4351. SHORT TITLE.**

“This part may be cited as the ‘School Safety Enhancement Act of 2001’.

**“SEC. 4352. FINDINGS.**

“Congress makes the following findings:

“(1) While our Nation’s schools are still relatively safe, it is imperative that schools be provided with adequate resources to prevent incidents of violence.

“(2) Approximately 10 percent of all public schools reported at least 1 serious violent crime to a law enforcement agency over the course of the 1996-1997 school year.

“(3) In 1996, approximately 225,000 students between the ages of 12 and 18 were victims of nonfatal violent crime in schools in the United States.

“(4) From 1992 through 1994, 76 students and 29 non-students were victims of murders or suicides that were committed in schools in the United States.

“(5) The school violence incidents in several States across the Nation in 1998 and 1999 caused enormous damage to schools, families, and whole communities.

“(6) Because of escalating school violence, the children of the United States are increasingly afraid that they will be attacked or harmed at school.

“(7) A report issued by the Department of Education in August, 1998, entitled ‘Early Warning, Early Response’ concluded that the reduction and prevention of school violence is best achieved through safety plans which involve the entire community, policies which emphasize both prevention and intervention, training school personnel, parents, students, and community members to recognize the early warning signs of potential violent behavior and to share their concerns or observations with trained personnel, establishing procedures which allow rapid response and intervention when early warning signs of violent behavior are identified, and providing adequate support and access to services for troubled students.

**“SEC. 4353. NATIONAL CENTER FOR SCHOOL AND YOUTH SAFETY.**

“(a) ESTABLISHMENT.—The Secretary of Education and the Attorney General shall jointly establish a National Center for School and Youth Safety (in this section referred to as the ‘Center’). The Secretary of Education and the Attorney General may establish the Center at an existing facility, if the facility has a history of performing two or more of the duties described in subsection (b). The Secretary of Education and the Attorney General shall jointly appoint a Director of the Center to oversee the operation of the Center.

“(b) DUTIES.—The Center shall carry out emergency response, anonymous student hotline, consultation, and information and outreach activities with respect to elementary and secondary school safety, including the following:

“(1) EMERGENCY RESPONSE.—The staff of the Center, and such temporary contract employees as the Director of the Center shall determine necessary, shall offer emergency assistance to local communities to respond to school safety crises. Such assistance shall include counseling for victims and the community, assistance to law enforcement to address short-term security concerns, and advice on how to enhance school safety, prevent future incidents, and respond to future incidents.

“(2) ANONYMOUS STUDENT HOTLINE.—The Center shall establish a toll-free telephone number for students to report criminal activity, threats of criminal activity, and other high-risk behaviors such as substance abuse, gang or cult affiliation, depression, or other warning signs of potentially violent behavior. The Center shall relay the reports, without attribution, to local law enforcement or appropriate school hotlines. The Director of the Center shall work with the Attorney General to establish guidelines for Center staff to work with law enforcement around the Nation to relay information reported through the hotline.

“(3) CONSULTATION.—The Center shall establish a toll-free number for the public to contact staff of the Center for consultation regarding school safety. The Director of the Center shall hire administrative staff and individuals with expertise in enhancing school safety, including individuals with backgrounds in counseling and psychology, education, law enforcement and criminal justice, and community development to assist in the consultation.

“(4) INFORMATION AND OUTREACH.—The Center shall compile information about the best practices in school violence prevention, intervention, and crisis management, and shall serve as a clearinghouse for model school safety program information. The staff of the Center shall work to ensure local governments, school officials, parents, students,



and law enforcement officials and agencies are aware of the resources, grants, and expertise available to enhance school safety and prevent school crime. The staff of the Center shall give special attention to providing outreach to rural and impoverished communities.

“(c) FUNDING.—The Secretary of Education shall make available \$15,000,000 from amounts appropriated to carry out this title, and the Attorney General shall make available \$35,000,000 from amounts appropriated for programs administered by the Office of Justice Programs of the Department of Justice, for each of fiscal years 2002 through 2005 to carry out this section.

**“SEC. 4354. SAFE COMMUNITIES, SAFE SCHOOLS.**

“(a) GRANTS AUTHORIZED.—Using funds made available under subsection (c), the Secretary of Education, the Secretary of Health and Human Services, and the Attorney General shall award grants, on a competitive basis, to help communities develop community-wide safety programs involving students, parents, educators, guidance counselors, psychologists, law enforcement officials or agencies, civic leaders, and other organizations serving the community.

“(b) AUTHORIZED ACTIVITIES.—Funds provided under this section may be used for activities that may include efforts to—

“(1) increase early intervention strategies;

“(2) expand parental involvement;

“(3) increase students’ awareness of warning signs of violent behavior;

“(4) promote students’ responsibility to report the warning signs to appropriate persons;

“(5) promote conflict resolution and peer mediation programs;

“(6) increase the number of after-school programs;

“(7) expand the use of safety-related equipment and technology; and

“(8) expand students’ access to mental health services.

“(c) FUNDING.—The Secretary of Education shall make available \$24,000,000 for each of the fiscal years 2002 through 2005 to carry out this section from amounts appropriated to carry out this title.”

**SEC. 405. AMENDMENTS TO THE NATIONAL CHILD PROTECTION ACT OF 1993.**

Section 5(10) of the National Child Protection Act of 1993 (42 U.S.C. 5119c(10)) is amended to read as follows:

“(10) the term ‘qualified entity’ means—

“(A) a business or organization, whether public, private, for-profit, not-for-profit, or voluntary, that provides care or care placement services, including a business or organization that licenses or certifies others to provide care or care placement services; or

“(B) an elementary or secondary school.”

**SA 377.** Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1, to extend programs and activities under the Elementary and Secondary Education Act of 1965; which was ordered to lie on the table; as follows:

On page 319, between lines 19 and 20, insert the following:

“(12) Supporting the activities of professional development schools and education councils, involving partnerships between elementary schools, secondary schools, and institutions of higher education, including community colleges, for the purpose of—

“(A) preparing out-of-field teachers to be qualified to teach all of the classes that the teachers are assigned to teach;

“(B) preparing paraprofessionals to become fully qualified teachers in areas served by high need local educational agencies;

“(C) supporting teams of master teachers, including teachers certified by the National Board for Professional Teaching Standards, and student teacher interns as a part of an extended teacher education program; and

“(D) supporting teams of master teachers, including teachers certified by the National Board for Professional Teaching Standards, to serve in low-performing schools.

On page 329, line 7, strike “; and” and insert a semicolon.

On page 329, line 13, strike the period and insert “; and”.

On page 329, between lines 13 and 14, insert the following:

“(C) may include activities carried out jointly with professional development schools and education councils, involving partnerships between elementary schools, secondary schools, and institutions of higher education, including community colleges, for the purpose of improving teaching and learning at low-performing schools.

On page 329, between lines 18 and 19, insert the following:

“(c) DEFINITIONS.—In this section:

“(1) EDUCATION COUNCIL.—The term ‘education council’ means a partnership that—

“(A) is established between—

“(i) an elementary school or a secondary school; and

“(ii) an institution of higher education; and

“(B) provides professional development to teachers to ensure that the teachers are prepared and meet high standards for teaching, particularly by educating and preparing prospective teachers in a classroom setting and enhancing the knowledge of in-service teachers while improving the education of the classroom students.

“(2) LOW-PERFORMING SCHOOL.—The term ‘low-performing school’ means an elementary school or secondary school that is determined to be low-performing by a State, on the basis of factors such as low student achievement, low student performance, unclear academic standards, high rates of student absenteeism, high dropout rates, and high rates of staff turnover or absenteeism.

“(3) PROFESSIONAL DEVELOPMENT SCHOOL.—The term ‘professional development school’ means a partnership that—

“(A) is established between—

“(i) an elementary school or a secondary school; and

“(ii) an institution of higher education; and

“(B)(i) provides sustained and high quality preservice clinical experience, including the mentoring of prospective teachers by veteran teachers;

“(ii) substantially increases interaction between faculty at institutions of higher education and new and experienced teachers, principals, and other administrators at elementary schools or secondary schools; and

“(iii) provides support, including preparation time, for such interaction.

trampled upon, and an entirely proper investigation became an exercise in hysteria. During “The Red Scare” we lost track of the facts and got wrapped-up in the emotions of the time.

The United States is now entering into an energy crisis. Demand for power is up and supplies are, if not down, at least not keeping up with that demand. As an example, gasoline prices are over \$2 a gallon, and the hot weather and travel season aren’t even here yet, Mr. President!

We all know there’s a real power crisis in the State of California. How it came about is well-documented and need not occupy us here today. Suffice it to say, all the elements conspired to come together at the right time and in the right place—much like the events told in “The Perfect Storm”—and this disaster is now upon us.

How are we going to get out of it, or, at least, mitigate the worst of its effects? How do we get there from here? I submit we are neither going to exclusively drill our way out of it, nor are we going to exclusively conserve our way out of it. Both those options may look good on paper, but they are doomed to failure in the real world.

This body is about to come to grips with designing a national energy policy. It will be an interesting time for us, as we work to blend effective conservation measures with ways to ensure that we have the power sources we need. It is my hope that this plan will be based on sound science, not on emotions or slogans. If it’s not, it’s eye-wash, not worth the paper the headlines it would generate are written on.

Mr. President, there is a five-part series entitled “Environment Inc.,” which ran between April 22 and April 26, 2001, in the “Sacramento Bee” newspaper.

This series was written by a “Bee” reporter named Tom Knudson. Mr. Knudson has won two Pulitzer Prizes for his writing on environmental issues.

This series examines the high-powered fund raising machine that now characterizes much of today’s Corporate Environmental Culture, a machine that increasingly funds, not environmental conservation efforts, but an unceasing flow of litigation and a spreading spill of public relations efforts. Conservation organizations have, themselves, become big businesses, complete with fund raising consultants and tremendous salaries.

Annual salaries for the heads of 9 of the 10 largest environmental groups now top \$200,000; one makes over \$300,000 a year. In 1997, and I quote here: “. . . one group fired its president and awarded him a severance payment of \$760,335.” We don’t see television ads of fat cats in their high-rise offices or swilling martinis in ritzy hotels. The article notes that some are now calling the Sierra Club, “Club Sierra.” John Muir would be appalled, I think.

Make no mistake about it, the Corporate Environmental Culture has

### THE GREEN SCARE

Mr. MURKOWSKI. Mr. President, our collective national memory is still haunted by images from the so-called “McCarthy Era.” This was a time in the middle of the last century when “The Red Scare” came to dominate both the headlines and the national consciousness, a time when no stone was left unturned in the search for the Communists beneath them.

Truth took a back seat during “The Red Scare,” with the result that innocent and guilty alike had their rights



raised a lot of money. Direct mail efforts. It boggles the mind to think that anyone would give money to a group that sends out millions of paper brochures asking for money to save the rain forest. Telemarketing efforts. "Send us money or the Jenkins Warbler goes extinct on the 27th of next month."

This series points out that, and I quote:

Six national environmental groups spend so much money on fund raising and overhead they don't have enough left to meet the minimum benchmark for environmental spending—60 percent of annual expenses—recommended by charity watchdog organizations.

Many—although, in fairness, not all—of these groups use an accounting loophole—and again I quote:

to classify millions of dollars spend on direct mail and telemarketing not as fund raising, but as public education and environmental activism!

If a citizen wants to give a few bucks to Club Sierra, that's not properly any of our business, is it? But increasingly, this series points out, environmental groups are inundating the courts with endangered species lawsuits. Such suits have become one of their basic tools. Even if there's no chance they'll win, they can tie up projects in courts for years on end.

Every time the U.S. Fish and Wildlife Service misses a deadline, a lawsuit follows like a hungry duckling waddling after its mother. Increasingly, the Service will tell you they are devoting more and more of their time and resources to fighting lawsuits, which leaves less and less time for the wildlife biology that is the Service's proper business.

Why would groups supposedly dedicated to conservation behave this way? Increasingly evidence suggests this onslaught of suits might well have its roots in the Almighty Dollar and the pursuit thereof. A lawyer who wins one of these "citizen suits" is entitled to a refund of his or her attorney fees from the taxpayers. These attorneys typically charge \$150 to \$350 an hour. The series notes that, and again I quote:

When California water districts won a suit . . . last year, they submitted a bill for \$546,403.70 to the government. The Justice Department was stunned.

It gets worse. There is increasing evidence that environmental groups are misusing science. They are behaving the way a fellow who tries to sell you a used toothbrush behaves, that is, they tell the truth, but they don't tell the whole truth. Here's an example from the series relating to necessary thinning programs in national forests.

The buildup of fuels in Western forests was a prominent topic in the 1996 Sierra Nevada Ecosystem Project report, a 3,187-page scientific assessment of the California mountain range.

Citing a remarkable accumulation of vegetation and deadwood, the \$6.5 million, congressionally funded report warned of a fiery future—unless overcrowded stands were thinned soon.

One suggested remedy was small-tree logging, followed by prescribed fire. 'Logging can serve as a tool to help reduce fire hazard,' it stated.

Environmental groups overlooked that part of the report.

Instead, they plucked one sentence from thousands to argue that all logging is bad. Here's how the National Forest Protection Alliance, a consortium of activists, used the report last fall in an action alert, under the heading, "What the Government's Own Scientists Say about Logging and Wildfires": "Timber harvest, through its effects on forest structure, local microclimate and fuels accumulation has increased fire severity more than any other recent human activity."

One fire scientist who helped write the report notes that the excerpt refers to historic logging that left Western forests littered with woody debris—not modern thinning designed to clean up such debris. Informed of this, a network coordinator for the forest alliance, said: "This is the most popular fact we have. It is a quote congresspeople have used."

Well, that settles that for all time, doesn't it, Mr. President?

I submit that our national energy policy is increasingly being affected not by scientific fact and the best interests of the country, but by the same type of hysteria and misinformation we saw when truth took a back seat during "The Red Scare" of 50 years ago.

During "The Red Scare" we lost track of the facts and got wrapped-up in emotion. During "The Green Scare," which we're going through now, we're giving ourselves over to hysteria yet again. This present-day hysteria is fed by a bloated, inefficient environmental industry, absorbed by its pursuit of money and devoted to the preservation, not of the natural environment, but of its own high rise, martini-swilling corporate lifestyle. There is a sizeable body of evidence that Environment, Inc. is willing to abandon truth and science, even the very reason for its existence, in pursuit of a buck. It is a movement that has lost its soul.

There's a bright side to all this. First of all, the word is getting out. Thanks to people like Tom Knudson, the author of the "Environment Inc." series and to concerned people in an out of the environmental movement, more and more people are coming to realize they've bought that used toothbrush we talked about before. As our population soars and demands upon our ecosystem accelerate, there is much real environmental work to be done.

I will conclude where Mr. Knudson's series concludes, with the coming thing in environmentalism, a movement both new and rooted in the very origins of environmentalism. Everyday "garden-variety" environmentalists are bringing "more science, entrepreneurial skill, accountability, teamwork, and results to a movement they say has grown self-righteous, inefficient, chaotic, and shrill." The Nature Conservancy, the Conservation Fund, and other groups are focusing, not on their offices and attorney fees, but on pro-

tecting land and on restoring it. These groups are making allowances for necessary development.

This represents a maturing of the environmental movement, a realization that it is fire not smoke that counts, results, not headlines. It is time for America to stand up to the lies and hysteria of "The Green Scare" and say: "No. Not again."

Mr. President, I ask unanimous consent that excerpts from the series "Environment Inc." be printed in the RECORD.

I wish to also note that the entire series may be found at: [www.sacbee.com/news/projects/environment](http://www.sacbee.com/news/projects/environment).

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

[From the Sacramento Bee, Apr. 22, 2001]  
FAT OF THE LAND—MOVEMENT'S PROSPERITY  
COMES AT A HIGH PRICE  
(By Tom Knudson)

As a grass-roots conservationist from Oregon, Jack Shipley looked forward to his visit to Washington, D.C., to promote a community-based forest management plan. But when he stepped into the national headquarters of The Wilderness Society, his excitement turned to unease.

"It was like a giant corporation," Shipley said, "Floor after floor after floor, just like Exxon or AT&T."

In San Francisco, Sierra Club board member Chad Hanson experienced a similar letdown when he showed up for a soiree at one of the city's finest hotels in 1997.

"Here I had just been elected to the largest grass-roots environmental group in the world and I am having martinis in the penthouse of the Westin St. Francis," said Hanson, an environmental activist from Pasadena. "What's wrong with this picture? It was surreal."

Soon, Hanson was calling the Sierra Club by a new name: Club Sierra.

Extravagance is not a trait normally linked with environmental groups. The movement's tradition leans toward simplicity, economy and living light on the land. But today, as record sums of money flow to environmental causes, prosperity is pushing tradition aside, and the millions of Americans who support environmental groups are footing the bill.

High-rise offices, ritzy hotels and martinis are but one sign of wider change. Rising executive salaries and fat Wall Street portfolios are another. So, too, is a costly reliance on fund-raising consultants for financial success.

Put the pieces together and you find a movement estranged from its past, one that has come to resemble the corporate world it often seeks to reform.

Although environmental organizations have accomplished many stirring and important victories over the years, today groups prosper while the land does not. Competition for money and members is keen. Litigation is a blood sport. Crisis, real or not, is a commodity. And slogans and sound bites masquerade as scientific fact.

"National environmental organizations, I fear, have grown away from the grass roots to mirror the foxes they had been chasing," said environmental author Michael Frome, at a wilderness conference in Seattle last year. "They seem to me to have turned tame, corporate and compromising."

This series of articles—based on more than 200 interviews, travel across 12 states and northern Mexico, and thousands of state and

federal records—will explore the poverty of plenty that has come to characterize much of the environmental movement. Some of the highlights:

Salaries for environmental leaders have never been higher. In 1999—the most recent year for which comparable figures are available—chief executives at nine of the nation's 10 largest environmental groups earned \$200,000 and up, and one topped \$300,000. In 1997, one group fired its president and awarded him a severance payment of \$760,335.

Money is flowing to conservation in unprecedented amounts, reaching \$3.5 billion in 1999, up 94 percent from 1992. But much of it is not actually used to protect the environment. Instead, it is siphoned off to pay for bureaucratic overhead and fund raising, including expensive direct-mail and telemarketing consultants.

Subsidized by federal tax dollars, environmental groups are filing a blizzard of lawsuits that no longer yield significant gain for the environment and sometimes infuriate federal judges and the Justice Department. During the 1990s, the U.S. Treasury paid \$31.6 million in legal fees for environmental cases filed against the government.

Those who know the environment best—the scientists who devote their careers to it—say environmental groups often twist fact into fantasy to serve their agendas. That is especially true in the debate over one of America's most majestic landscapes: its Western evergreen forests. A 1999 report by the U.S. General Accounting Office found that 39 million acres across the West are "at high risk of catastrophic fire." Yet many groups use science selectively to oppose thinning efforts that could reduce fire risk.

"A lot of environmental messages are simply not accurate," said Jerry Franklin, a professor of forest ecology and ecosystem science at the University of Washington. "But that's the way we sell messages in this society. We use hype. And we use those pieces of information that sustain our position. I guess all large organizations do that."

And sometimes when nature needs help the most, environmental groups are busy with other things.

As the tiny Fresno kangaroo rat struggled for survival in the industrialized farmland of California's San Joaquin Valley in the 1990s, for example, the environmental movement did not seem to notice.

As a fisheries conservationist tried to save rare trout species across remote parts of Oregon and Nevada, he found no safety net in major environmental groups.

As sea turtles washed up dead and dying on Texas beaches in 1993, no groups made the turtles their mascot.

"I contacted everybody and nobody listened," said Carole Allen, who rehabilitates turtles injured in fishing nets. "Everybody wants to save dolphins. Turtles aren't popular. It really gets frustrating."

Yet look closely at environmentalism today and you also see promise and prosperity coming together to form a new style of environmentalism—one that is sprouting quietly, community by community, across the United States and is rooted in results, not rhetoric.

"I'm so frustrated with the opportunism and impulsiveness of how groups are going about things," said Steve McCormick, president of The Nature Conservancy, which uses science to target and solve environmental problems. "What's the plan? What are the milestones by which we can measure our success?"

Today's challenges are more subtle and serious than those of the past. Stopping a dam is child's play compared to halting the spread of destructive, non-native species. Protecting old-growth forests from logging is

simple; saving them from fire and disease is more difficult.

But as the Bush administration takes control in Washington, many groups are again tuning up sound bites—not drawing up solutions.

There is no clearinghouse for information about environmental groups, no oversight body watching for abuse and assessing job performance. What information exists is scattered among many sources, including the Internal Revenue Service, philanthropic watchdogs, the U.S. Department of Justice and nonprofit trade associations.

Sift through their material and here is what you find:

Donations are at flood stage. In 1999, individuals, companies and foundations gave an average of \$9.6 million a day to environmental groups, according to the National Center for Charitable Statistics, which monitors nonprofit fund raising.

The dollars do not enrich equally. The nation's 20 largest groups—a tiny slice of the more than 8,000 environmental organizations—took in 29 percent of contributions in 1999, according to IRS Form 990 tax records. The top 10 earned spots on the Chronicle of Philanthropy's list of America's wealthiest charities.

The richest is The Nature Conservancy, an Arlington, Va., group that focuses on purchasing land to protect the diversity of species. In 1999, The Nature Conservancy received \$403 million, as much as its six nearest rivals combined: Trust for Public Land, Ducks Unlimited, World Wildlife Fund, Conservation International, National Wildlife Federation and Natural Resources Defense Council.

Forty years ago, the environmental movement was a national policy sideshow. Today, it is a strong, vocal lobby that weighs in on everything from highway transportation to global trade. Some groups, such as the National Audubon Society and Environmental Defense, are generalists, dabbling in many things. Others, such as Ducks Unlimited and Conservation International, have found success in specialization.

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David Brower, the legendary former Sierra Club leader who led successful battles to keep dams out of Dinosaur National Monument and the Grand Canyon in the 1950s and '60s, said success springs from deeds, not dollars.

"We were getting members because we were doing things," Brower said before he died last year. "Out (strength) came from outings and trips—getting people out. If came from full-page ads and books."

Today, there is a new approach—junk mail and scare tactics.

"Dear Friend, If you've visited a national park recently, then some of the things you're about to read may not surprise you!"

"America's National Park System—the first and finest in the world—is in real trouble right now."

"Yellowstone . . . Great Smoky Mountains . . . Grand Canyon . . . Everglades. Wilderness, wildlife, air and water in all these magnificent parks are being compromised by adjacent mining activities, noise pollution, commercial development and other dangerous threats . . ."

So begins a recent fund-raising letter from the National Parks Conservation Association, a 400,000-plus-member organization. The letter goes on to tell of the group's accomplishments, warn of continued threats, ask for money—"15 or more"—and offer something special for signing up. "Free as our welcome-aboard gift . . . The NPCA bean bag bear!"

Let's say you did send in \$15. What would become of it?

According to the group's 1998-99 federal tax form, much of your money would have been routed not to parks but to more fund raising and overhead. Just \$7.62 (51 percent) would have been spent on parks, less than the minimum 60 percent recommended by the American Institute of Philanthropy, a nonprofit charity watchdog group.

And the parks association is not alone.

Five other major groups—including household names such as Greenpeace and the Sierra Club—spend so much on fund raising, membership and overhead they don't meet standards set by philanthropic watchdog groups.

It's not just the cost of raising money that catches attention these days. It is the nature of the fund-raising pitches themselves.

"What works with direct mail? The answer is crisis. Threats and crisis," said Beard, the Audubon Society chief operating officer.

"So what you get in your mailbox is a never-ending stream of crisis-related shrill material designed to evoke emotions so you will sit down and write a check. I think it's a slow walk down a dead-end road. You reach the point where people get turned off." Then he hesitated, adding:

"But I don't want to say direct mail is bad because, frankly, it works."

Even some of those who sign the appeals are uncomfortable with them.

"Candidly, I am tired of The Wilderness Society and other organizations—and we are a culprit here—constantly preaching gloom and doom," said William Meadows, the society's president, whose signature appears on millions of crisis-related solicitations. "We do have positive things to say."

Many environmental groups, The Wilderness Society included, also use a legal accounting loophole to call much of what they spend on fund raising "public education."

In 1999, for instance, The Wilderness Society spend \$1.46 million on a major membership campaign consisting of 6.2 million letters. But when it came time to disclose that bill in its annual report, the society shifted 87 percent—\$1.27 million—to public education. The group also shrank a \$94,411 telemarketing bill by deciding that 71 percent was public education."

The Wilderness Society's spokesman, Ben Beach, said that kind of accounting is appropriate because fund-raising solicitations are educational.

"No one is trying to do anything that isn't right by the rule book here," he said. "A lot of us don't particularly like getting (telemarketing) calls. But that's not to say you don't learn something."

Still, the accounting practice is controversial. Nine of the nation's 20 largest groups don't use it. "Playing games with numbers is not worth the effort or questions that would come from it," said Stephen Howell, chief operating officer at The Nature Conservancy.

"It should be called what it is," said Noonan, the Conservation Fund leader. "As we become larger and more successful, I worry about the ethics of our movement. We need to think about self-regulation and standards. If not, the ones who make mistakes are going to hurt it for all of us."

Dollars can disappear in other ways, of course.

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Comfortable office digs and sumptuous fund-raising banquets are another drain on donor dollars. The Sierra Club spends \$59,473 a month for its office lease in San Francisco. In Washington, Greenpeace pays around \$45,000 a month.

In June 1998, The Nature Conservancy spent more than \$1 million on a single fund-raising bash in New York City's Central Park. Carly Simon and Jimmy Buffett

played. Masters of ceremonies included Dan Rather, Peter Jennings, Mike Wallace and Leslie Stahl. Variety magazine reported that the 1,100 guests were treated to a martini bar and a rolling cigar station.

"The goal was to raise (our) profile among high-dollar donors," Conservancy spokesman Mike Horak said in a statement. And it paid off: \$1.8 million was raised.

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Salaries gobble up money raised, too. In 1999, top salaries at the 10 largest environmental groups averaged \$235,918, according to IRS tax forms. By contrast, the president of Habitat for Humanity, International—which builds homes for the poor—earned \$62,843. At Mothers Against Drunk Driving, the president made \$69,570.

Among environmental groups, Ducks Unlimited paid its leader the most: \$346,882.

"Those salaries are obscene," said Martin Litton, a former Sierra Club board member, who worked tirelessly over a half-century to help bring about the creation of Redwoods National Park in 1968 and Sequoia National Monument last year. Litton did it for free.

"There should be sacrifice in serving the environment," he said.

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#### UNANIMOUS CONSENT AGREEMENT—S. 1

Mr. MURKOWSKI. Mr. President, I ask unanimous consent the Senate resume consideration of S. 1 at 2 o'clock on Monday, and any votes ordered with respect to that legislation occur in a stacked sequence Tuesday morning, with 2 minutes prior to each vote for explanation.

I further ask unanimous consent, as in executive session, that the Senate proceed to executive session at 4 p.m.

on Monday for consideration of the Bolton nomination, under the same terms as outlined in the consent agreement of May 3, 2001.

Also as in executive session, I ask unanimous consent that when the Senate resumes in session on Tuesday at 9:30, the Senate resume executive session, that there be 45 minutes remaining for debate on the Bolton nomination, to be equally divided between the chairman and ranking minority member of the Foreign Relations Committee and Senator DORGAN, and a vote occur on the confirmation of Mr. Bolton at 10:15 on Tuesday. That is to be followed by a stacked sequence of votes ordered from Friday and Monday's session of the Senate with respect to the education bill.

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

#### ORDERS FOR MONDAY, MAY 7, 2001

Mr. MURKOWSKI. Mr. President, on behalf of the leader, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 1 p.m. on Monday, May 7. I further ask consent that on Monday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate begin a period of morning business until 2 p.m., with Senators speaking for up to 10 minutes each with the following exceptions: Senator MURKOWSKI, 1 to 1:30, Senator DURBIN or his designee, 1:30 to 2.

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

#### PROGRAM

Mr. MURKOWSKI. For the information of all Senators, the Senate will be in a period of morning business until 2 p.m. on Monday. Following the morning business, there will be 2 hours to resume consideration of the education reform bill. Amendments will be offered during that debate and any votes ordered will occur in the stacked sequence as under the previous order beginning at 10:15 a.m.

At 4 p.m. on Monday, the Senate will begin consideration of the nomination of John R. Bolton to be Under Secretary of State for Arms Control and International Security. There will be up to 3 hours of debate on his nomination on Monday, with an additional 45 minutes for debate on Tuesday prior to the vote on confirmation at 10:15 a.m.

Senators should expect several stacked votes on Tuesday morning beginning at 10:15.

#### ADJOURNMENT UNTIL MONDAY MAY 7, 2001, at 1 P.M.

Mr. MURKOWSKI. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 3:20 p.m., adjourned until Monday, May 7, 2001, at 1 p.m.