Mr. SPECTER. Mr. President, it is my expectation—and really prediction—that this resolution will pass the U.S. Senate by overwhelming numbers and that it should be heeded by any of those who wish to have a unilateral declaration of a Palestinian state. My colleagues have already articulated the point that Chairman Arafat has made a commitment to determine issues such as the Palestinian state by negotiations, and we would expect that commitment to be preserved. There are very delicate matters involving Israel and the Palestinian Authority with respect to withdrawals, and there are major risks in ceding as much real estate, as much ground, as much territory as Israel has ceded to the Palestinians.

There is an element of great emotionalism, over and above the issue of security. I recall the famous handshake on the White House lawn on September 13, 1993, with the expectation of working out a permanent peace in the Middle East.

In December of 1993 I had occasion to travel with a congressional delegation and visited Egypt. President Mubarak arranged a meeting with Chairman Arafat at that time, where he renewed his pledges to live by the Oslo accord.

A few weeks later I was in Israel, in Jericho, and found for sale at the roadside stands, flags of the Palestinian state. The ink was barely dry on the Oslo accords and the handshakes were barely unclasped on the White House lawn before people were talking about a Palestinian state and there was, in fact, the Palestinian flag.

I recall visiting in Amman, Jordan, in the mid-1980s, awaiting a meeting with King Hussein and looking at a map of the Mideast. Where I expected to see the designation of ''Israel,'' there was the designation of ''Palestine.'' I mentioned that to King Hussein, the leader of Jordan, and had the comment that ''it was an old map.'' Well, maps can be redrawn. But for years the State of Israel was not recognized in the Arab world. Instead of having ''Israel,'' which had control of the land and was the sovereign controlling that land, ''Palestine'' was still noted on the maps.

There is also the issue of a very substantial appropriation which is being sought from the Congress of the United States. I am not saying that appropriation would be conditioned on the Palestinian Authority abiding by the terms of the Oslo accord with respect to settling the declaration of a Palestinian state by negotiations, but certainly it would be in mind, it would be a factor to be considered, with many, many others.

So, in sum total, there is much to recommend restraint by the Palestinian Authority and to leave this issue, as to whether there will be a declaration or not, to final status negotiations in accordance with the terms of the Oslo accord.

I thank the Chair and thank my colleague from Ohio for yielding the time. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, Senator LAUTENBERG, the Senator from New Jersey, is interested in speaking on this as well. He is not here at this time.

I ask unanimous consent that the remainder of our time be allowed to go to Senator LAUTENBERG. I believe it is just under 5 minutes. It is my understanding there will be a vote on this measure at 2 o'clock or sometime in that time vicinity, so he would have to get here, obviously, fairly soon. But I ask unanimous consent the remainder of our time be allocated to Senator LAUTENBERG.

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

Mr. DEWINE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. 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. LAUTENBERG. Mr. President, I understand there is a unanimous consent agreement that says I should be permitted to use the remainder of the time on this side.

The PRESIDING OFFICER. The Senator is correct.

Mr. LAUTENBERG. Mr. President, I rise in support of this resolution, of which I am an original cosponsor, opposing Palestinian statehood as a unilateral declaration. We need to send an unequivocal signal of the Senate's opposition to any unilateral declaration of Palestinian statehood.

I know the players here very well. I knew Israeli Prime Minister Rabin. I considered him a close friend. I had a lot of contact with him over a period of more than 20 years. I got to know Chairman Arafat when he came to Washington, and I have seen him in Jericho. I have seen him here several times; I have seen him in New York. When they got together, shook hands, and signed the Declaration of Principles that was negotiated in Oslo, it was a tremendous historical moment.

The Oslo accords set in motion a process to end violence and bring peace to this troubled region. Despite obstacles and delays, Israel and the Palestinians have come a long way down the road to a better future. Last year, with the peace process stalled, President Clinton brought together Prime Minister Netanyahu and Chairman Arafat for intensive discussion on a plan that would achieve further progress in implementing the Oslo accord. With the help of a good friend to the United States, to Israel, and to the Palestinians—King Hussein of Jordan—President Clinton convinced the parties to sign the Wye River agreement.

Both Israel and the Palestinians implemented their commitments in the first phase of the Wye memorandum. Unfortunately, the process remains stalled there, though important cooperation between Israeli and Palestinian representatives continues.

President Clinton has rightly urged the parties to respect and implement the Wye memorandum, despite the pending election in Israel. Prospects for further implementation are good, in my view, even if this is not happening right now.

The point is that, on the whole, the Oslo framework is still intact. Final status negotiations to resolve the most challenging issues should begin within a matter of months. In that context, the resolution we are considering today makes a vital point. The Palestinians must not jeopardize the peace process by unilaterally declaring statehood, as Chairman Arafat and other Palestinian leaders have suggested. By adopting this resolution, we send an unequivocal message that, certainly as far as the Congress is concerned, the United States would not recognize a unilateral statehood declaration and would instead condemn it as a violation of the Oslo accords.

Mr. President, this resolution represents our strong commitment to a negotiated peace in the Middle East. I, on a personal basis, look forward to the fact that one day they will put aside violence there and they will get along. It is a necessity; this is not a matter of choice. I welcome the overwhelming support that is indicated for this message on the part of my colleagues, that no unilateral declaration of statehood will receive the support or the encouragement of the United States.

With that, I yield the floor.

Mr. ROBB addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, I think this is a terribly important issue in that we understand that the bottom line is that threats undermine the peace process. It is that simple. Autonomy has to be determined through the process of negotiations. We are not talking about statehood. I applaud all of the Members who have joined in cosponsoring this resolution. I hope it will be passed unanimously by the U.S. Senate.

EDUCATION FLEXIBILITY PARTNERSHIP ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 280, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 280) to provide for education flexibility partnerships.

The Senate resumed consideration of the bill.

Pending:

Jeffords amendment No. 31, in the nature of a substitute.

Jeffords (for Lott) modified amendment No. 60 (to amendment No. 31), to express the

sense of the Senate regarding flexibility to use certain Federal education funds to carry out part B of the Individuals with Disabilities Education Act, and to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Feinstein/Dorgan/Bingaman amendment No. 61 (to amendment No. 31), to assist local educational agencies to help all students achieve State achievement standards, and to end the practice of social promotion.

Wellstone amendment No. 62 (to amendment No. 31), to provide for local and state plans, use of funds, and accountability, under the Carl D. Perkins Vocational and Technical Education Act of 1998, except to permit the formation of secondary and post-secondary consortia.

Bingaman amendment No. 63 (to amendment No. 31), to provide for a national school dropout prevention program.

Bingaman (for Murray/Kennedy) amendment No. 64 (to amendment No. 31), authorizing funds for fiscal years 2000 through 2005 to provide for class-size reduction in the early grades and to provide for the hiring of additional qualified teachers.

Bingaman (for Boxer) amendment No. 65 (to amendment No. 31), to improve academic and social outcomes for students and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities during after school hours.

Jeffords (for Lott) amendment No. 66 (to amendment No. 31), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Jeffords (for Lott) amendment No. 67 (to amendment No. 31), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act.

Jeffords (for Lott) amendment No. 68 (to amendment No. 31), to provide all local educational agencies with the option to use the funds received under section 307 of the Department of Education Appropriations Act, 1999, for activities under part B of the Individuals with Disabilities Education Act, and to amend the Individuals with Disabilities Education Act with respect to alternative educational settings.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, under the previous order, I yield myself 10 minutes on the bill.

The PRESIDING OFFICER. The Senator is recognized.

Mr. TORRICELLI. Mr. President, there is understandably much discussion in our country about the ways and means to continue the rather extraordinary economic prosperity that has been visited upon our generation. Theories abound about how to maintain this economic growth that is providing employment, a growing Federal surplus, and a rising quality of life in America.

It is one thing upon which I suspect we can all agree, as we think about continuing the current economic expansion, that this prosperity is built upon a foundation of quality education. Indeed, I would argue that it is the investment of our parents' generation in quality schools, rising standards of excellence, attraction of good teachers, 30 and 40 years ago, that we are now reaping in dividends of prosperity. There is no question that in those years our parents understood that the security of our Nation and our prosperity would be no stronger than the investment we made in education.

I believe that as our parents recognized the opportunity and made the investment and that investment yielded these dividends, the problems of American education now stand like a dagger at the heart of our economy. Too many of our children are now attending schools that would be a source of embarrassment for any Member of this institution. I have visited schools across New Jersey where children meet in hallways, in gymnasiums, because there are no longer classes available. The very schools that our parents provided for us that helped build this prosperity are crumbling around our feet.

The GAO has reported that one-third of all schools in America, serving 14 million students, are in serious need of repair. Teachers, no matter how hard they try, no matter their level of effort, can only do so much with old textbooks and with the dearth of modern technology. All the inventions and services on the Internet in the world won't make any difference in American education when only 27 percent of public schools are even connected to the Internet. Far too few communities can any longer afford the extra curricular activities, the extra hours of instruction that we enjoyed as students ourselves.

Across America, school districts are canceling sports activities. The club activities, the tutoring activities, the activities where students excelled a generation ago are being lost, leaving between 5 and 15 million students left alone at home after school. The reality of the two-wage-earner family means that millions of these students not only do not have supervision in school or activities but are left alone. Even if they did not need the instruction, even if they did not need the socialization or activities, these students are going home, where we are laying the groundwork for drug abuse, teenage pregnancy, truancy, with a direct correlation between students who do not have activities after school and failing grades and dropouts.

Local schools are so overwhelmed with these social problems, the overcrowding, the crumbling schools, sometimes they have no choice but social promotion, take a student who is failing and send them through the system and on to the streets. The reality of this education debate is, there are a lot of good answers, and they are represented by many Senators on this floor—efforts to help local communities deal with the cost of reconstructing our schools, dealing with the problems of social promotion, the problems of rising standards, the problems of getting better teachers, retaining good teachers.

What is unique about this education debate is—everybody is right—there is no one good idea. There are no two good ideas. This is a problem of such complexity that is so central to quality of life and economic opportunity in America that succeeding requires everybody's best efforts. What is most important is that it is a debate that requires a competition of the best ideas between Democrats and Republicans and liberals and conservatives.

There is no monopoly on creative thinking in dealing with the problems of education in America. Indeed, the underlying legislation, the Education Flexibility Partnership Act, is a good idea, it is a sound idea, but it is one idea that in and of itself does nothing about overcrowding or rising standards or new technology. It is one idea. I will vote for it, and this Senate should enact it. But at the end of the day it leaves us with this question: What do we do about these varieties of other problems?

Indeed, can this Senate say at the conclusion of the 106th Congress that we have dealt with educational flexibility, but that is all we have done, and seriously argue that we have dealt with the issue of education in America?

Last year, in this Senate, I joined with Senator COVERDELL in the belief that we should establish savings accounts to help fund private and public education. I believed it was a good idea. But even then, I argued, in answer to my own legislation, that if that is all that we have done, we haven't begun to address the problems of education in America. I return to that argument today.

Consider the dimensions of the problem, if you are to disagree and argue that educational flexibility alone will deal with this national dilemma. Forty percent of fourth grade students are failing to obtain basic levels of reading; 40 percent of eighth graders fail to obtain a basic level of mathematics. High school seniors across the Nation are ranked 19th out of 21 industrialized nations in math and science. Of course, I support legislation for educational flexibility, but I am also here to support the Murray amendment to hire more teachers and reduce class size, because we know, according to the Department of Education in their 1998 May report, that one element most directly relating to improved student performance is a reduction of class size in the early grades. The Murray amendment is the one answer we know will improve student performance in early grades. The Murray amendment would finish the process we began last year of adding 100,000 new teachers in America to reduce class size.

Indeed, I would have liked to have today added to the efforts of Senator MURRAY with an amendment of my own, and that would have been to give

signing bonuses to people who will become teachers. Where our best college graduates will go to schools most in need, I would have offered them a signing bonus to get them into the classroom immediately.

It confronts the reality of the fact that a starting teacher in America today could hope to earn, in a public school, $25,000. For a software engineer, our leading high-tech companies are offering $50,000 to the same person, with a signing bonus. Teachers are prepared to make sacrifices because they are dedicated, but how much of a sacrifice? We know they are our most important asset in dealing with the issue of educational quality.

So, my colleagues, I urge that we all come together to support educational flexibility. But I would have liked to have offered my amendment, which will not be allowed today. I urge my colleagues to consider Senator MURRAY's amendment, and also Senator FEINSTEIN's to end social promotion in our schools—the passing of the problem along to the streets because we will not deal with it in the classroom—and Senator BINGAMAN's amendment to help stem the tide of dropouts. Unfortunately, one of the most important problems of all—deteriorating schools—we won't be able to vote on.

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

Mr. TORRICELLI. Mr. President, I thank you for yielding me the time. I support the underlying legislation but also the amendments being offered.

Mr. VOINOVICH addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I stand before you today in strong support of Senator FRIST's Educational Flexibility Partnership Act. But then again, most of the Senate, and all 50 Governors, Secretary Riley, and even the President want this wonderful piece of legislation to pass today.

It is a big day personally for me. Some people are not aware of the fact that this effort for flexibility started in Ohio in 1981, when I commissioned a private-sector audit of the department of education to make it more friendly to our school districts. At the same time, it was command and control. The private-sector management audit came back and said it was riddled with paperwork, and the shocking thing was that half the paperwork the department had to do and the schools had to do was as a result of Federal regulations, and we were only getting 6 percent of our money from the Federal Government.

I recall going to Washington at that time and sitting down with Secretary Lamar Alexander and asking him if he could do something about it. Unfortunately, he could not. Later on when President Clinton became President and Dick Riley, a former Governor, became Secretary of Education, in the Goals 2000 legislation he provided for States to take advantage of some flexibility.

I want to underscore that a State cannot take advantage of this program unless they agree themselves to waive their regulations, and in some instances—for example, in Ohio—even waive statutes. This provided an opportunity for school districts to get waivers that, prior to Ed-Flex, had to go directly to Washington in order to get a waiver. It allows them to go to their superintendents of public instruction in their respective States.

I am proud that we have had an opportunity to take advantage of this. In Ohio we have 186 schools using a title I waiver, with over half of these schools increasing their proficiency test scores in math and science. Those school districts have taken advantage of waivers in the Eisenhower grants. As you know, in the Eisenhower grants, 85 percent of the money is supposed to be used for math and science. But in the elementary schools, how can a kid learn math or science if they cannot read? So as a result of the waiver program, we were able to get waivers to allow the money to be spent on reading, and today in those schools we have seen a dramatic increase in the math and science scores as a result of the fact that those schools were able to take advantage of the waiver.

There are some people who would argue that we need more accountability. I argue that we have accountability in most States. In Ohio, for example, we have our report cards, not only by districts but by individual buildings. With Ed-Flex, a building or a classroom that takes advantage of a waiver has to agree that within a year they will report back on how they are taking advantage of that waiver and whether it is making a difference in the classroom.

I would say that if I could get every title I school in the United States of America to become an Ed-Flex waiver school, we would have a lot more accountability with that title I money that is going into those districts—for those that are concerned about title I.

I think this idea is so overwhelming that last year, as chairman of the National Governors' Association, I made Ed-Flex one of my top priorities. I recall going to the White House and talking to President Clinton about it and his indicating that he thought it was a good idea. Last year, we almost got it done with the help of Tom Carper, the Democratic Governor of the State of Delaware. Again, we are bringing it back to Congress for their consideration.

To my Democratic colleagues I say this: There are a lot of ideas that have been proposed here on the floor. My attitude is that they all involve money. This is not a money bill. Ed-Flex does not require one additional dime from the Federal Government. What it does do is that it allows school districts to save the paperwork and the redtape so their administrators can spend time on education, and the teachers can, and they can take more of the money that is coming in from the Federal Government and put it in the classroom to improve the education of our children.

And if you want to talk about priorities: Rather than 100,000 new teachers, I would rather put the money in funding the Individuals With Disabilities Education Assistance Act or, in the alternative, my favorite: If I had the choice, instead of 100,000 teachers, I would put the money into 0 to 3, or conception to 3, a time in a child's life that is being, quite frankly, neglected in this country, not only by the Federal Government but by the local governments. We can prove that if you put money in during that period of time, when it is most important to the development of a child's ability to learn, you can get the best return on your investment.

So let's debate how we want to spend this Federal money and where we ought to be spending it, but let's not make that part of the debate on Ed-Flex. We will get to that. We will have that debate. We will look at what is available and decide how it is to be spent.

So today I ask the Members of the Senate to support Ed-Flex. Let's have a clean Ed-Flex bill. Let's get it done. It has made a great difference for the people of Ohio and those States that have taken advantage of it. I think it is long overdue to give the other 38 States of this Nation the same opportunities that we have.

Mr. President, I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I yield 10 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Thank you, Mr. President.

I first thank the Senator from Massachusetts for yielding me time but, more importantly, thank him for his tremendous efforts on the floor of this Senate for the last several days. Hour upon hour, he has been battling to ensure that this education flexibility bill is not simply a blank check to the States but it also has the kind of accountability that will be necessary to ensure that this flexibility will result in improved student performance. In fact, it is a battle the Governors urged us to take up because they are as concerned as anyone else to ensure that this flexibility is accompanied by accountability.

He has also taken up the fight on two important issues of unfinished business. Last year, we appropriated significant amounts of money over the next several years to ensure that we could reduce class size by hiring additional teachers. It is now imperative that we authorize that appropriation, that we give a sense of continuity, stability, and assurance to the local communities that this money, this program, will be in place over time. Second, last year we also went a long way

toward developing programs to prevent students from dropping out of our schools. Senator BINGAMAN has been the champion of this program and that is unfinished business that we want to take up.

What has happened in the course of this debate is we have moved beyond both Ed-Flex and accountability and some unfinished business to embrace other issues. The positive value of that is any debate about education, I believe, is inherently healthy, and I am pleased to do that, but we have taken some steps away from the main topic.

There is one issue I particularly want to concentrate on and focus on. That is an amendment I introduced that would go directly to the issue of educational flexibility, directly to the issue of accountability. I had hoped to have the opportunity to offer the amendment as a stand-alone, that I could debate it and engage in a principled discussion, but because of the parliamentary condition of the floor, because of the unanimous consent, the only opportunity I had to have the amendment offered was to do so in conjunction with one of Senator LOTT's amendment.

I am in the awkward position of supporting my amendment and grateful that Senator LOTT included it in his amendment, but respectfully differing with Senator LOTT on his proposal with respect to IDEA. What Senator LOTT is essentially providing to the school districts of America is a Hobson's choice, a choice between decreasing class size or additional resources for IDEA, the Individuals with Disabilities Education Act. I don't think we should present that choice to school districts. I think we should do all we can to ensure that we properly fund IDEA and at the same time we are able to reduce class sizes throughout the country.

In fact, I argue that a reduction in class size will materially benefit the Individuals with Disabilities Education Act programs throughout the country because the reality of many schoolrooms is that there are IDEA students in large classrooms. They are not getting the attention they need and deserve. At the same time, the other students aren't getting that type of attention. By reducing class size—and this is an amendment that Senator MURRAY has championed and I salute her—we will help both programs, but ultimately we should be able to find the resources to fund both reduced class sizes and also keep up our commitment to the Individuals with Disabilities Education Act program.

Let me speak specifically about my amendment that goes to the heart of Ed-Flex. It goes to the heart of accountability. What it would do is involve parents, which I think is a topic we have not paid enough attention to. I hope in this oncoming reauthorization of the Elementary and Secondary Education Act, we would put a special emphasis on innovative ways of involving parents in the educational process. We know it works. We know it is important. We know that good schools are schools not only with robust and intellectually curious children and good teachers, they are those schools that have strong parental involvement.

My amendment would simply require the States to have a comment period with respect to their proposals for educational flexibility. Specifically, ask that parents and other interested parties be allowed to comment. These comments would be taken pursuant to State laws. We are not trying to create a special unique procedure. We don't want to add to the burden of States, but we want States to listen to the parents in their communities when they talk about educational flexibility.

More than that, we want these comments to be incorporated in the application to the Secretary of Education so that the Secretary understands not just the perspective of the Governor, but just as importantly—in fact, one might argue more importantly—the perspective of parents in the communities of that State.

I am pleased to say after spending a great deal of discussion with Senator FRIST, particularly, we have reached an accommodation acceptable to both sides. In fact, it represents a movement on my part from the amendment I suggested last year which would have required a formal 30-day period of comments that would require an evaluation of the comments by the States in terms of their goals for educational flexibility and incorporating that in the application. We have decided to move closer together in terms of a more streamlined process.

I point out that just a few days ago the Committee on Education and the Workforce in the other body, by an overwhelming vote of 30–9, passed my amendment of last year requiring a much more rigorous parental involvement, a more heavily regulated, if you will, approach to the issue.

In order to have a position in conference that will give us the opportunity to discuss this and discuss this with a principle proposal already on the table, I am extremely pleased that this amendment, the Reed amendment, has been incorporated into Senator LOTT's proposal. This Reed amendment is going forward.

It also, I might add, follows precedents we established last year with respect to parental involvement, in particular with respect to the Workforce Investment Act and the Reading Excellence Act. I hope this is the beginning of a trend to involve parents directly with the issue of educational reform at the local level.

I hope it also represents an opportunity that we will follow up in the Elementary and Secondary Education Act to think about ways we can get parents more involved in the education of their youngsters. I also add that the Parent Teachers Association of America supports my amendment, the Education Trust supports it, the American Federation of Teachers and the Center for Law and Education supports this. Also, this was one of the provisions that was pointed out specifically in the statement of administration policy dated March 3 as part of their review of the underlying Ed-Flex legislation.

I say with some regret I cannot support Senator LOTT's proposal because I do think it is presenting a Hobson's choice. I think we can do better. I don't think we have to choose between some children versus others. I think we have to recognize that class size will help all children. It may, in fact, be additionally beneficial to children with special needs.

Again, I think as we all recognize that we have a special responsibility to put our money where our noble words are when it comes to the issue of individuals with disabilities and their education in the United States, that requires looking for additional resources rather than simply trying to play one off the other in terms of some children versus other children.

I thank, again, Senator KENNEDY's leadership and certainly Senator FRIST and Senator WYDEN who have been doing a remarkable job on the floor. I hope at the end of the day we will have a bill we can all support. There are some provisions, as I outlined, that I opposed, but I conclude by strongly supporting my amendment which would give parents a real say in the educational flexibility plans that emanate from the States.

With that, I yield back any time I have to Senator KENNEDY.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I will be managing the time on our side until Senator JEFFORDS arrives. I yield myself 6 minutes and then I will yield to the distinguished Senator.

Mr. President, first, I rise in strong support of the Education Flexibility Partnership Act. I begin with a brief quote:

> An investment in knowledge always pays the best interest.

Benjamin Franklin stated that in the early years of our Republic.

Building upon this statement, I say it is a simple fact—which the occupant of the Chair, as a distinguished Governor in a State that has seen great economic growth and prosperity and better jobs and more opportunity—it is a simple fact that the future is prejudiced in favor of those who can read, write, and do math.

A good education is a ticket to a secure future in this United States. And obviously, the opposite is equally true. As the earning gap between brains and brawn grows even larger, almost no one doubts that there is a link between education and the individual's prospects, even in this great land of opportunity.

Today, the Senate is taking a first step to improve our Nation's educational system, because everyone acknowledges that our children are the

future of this country and we must make every effort to provide them with the tools to succeed. Our action provides States with increased flexibility to ensure that our students have an even better opportunity to succeed. I submit that because we have so many programs at the national level, small and large—and I will allude to the number shortly—that if you are looking for a place to reform, maybe you ought to start right here.

Maybe we ought to look at the whole package of targeted educational programs at the national level and see how far off the mark they really are when it comes to helping children in the United States. This takes some of our programs and says that one size doesn't fit all, and Washington bureaucrats and interpreters of these various laws don't always know best, so we are going to give local teachers and administrators who know the problems the opportunity to create flexibility in terms of how these various programs are used in the field for our children.

I want to move ahead to a summary that was given to us by the GAO that, in conjunction with the Budget Committee staff and under the leadership of Senator FRIST, looked at a whole myriad of U.S. Federal programs to see just what we were doing and what we were not doing. And so, Mr. President, I want to inform you that your concern when you were Governor of Ohio of all the bureaucracy and paperwork and missing the target by Federal programs, if you wondered why, this is why. Our National Government has funded over 86 teacher training programs in 9 agencies and offices; 127 at-risk and delinquent youth programs in 15 agencies and offices; and over 90 childhood programs in 11 Federal agencies and 20 offices.

Now, it is quite obvious that the U.S. Government, our committees, and our Secretary, are not the know-all and end-all of good education occurring in Ohio, New Mexico, Arizona or Massachusetts. How could we be the end-all and the know-all when, essentially, we contribute less than 7 percent of the funding? Now, it almost makes us, standing on the floor speaking so eloquently about what the Federal Government is doing with its money on education, to some extent, borderline unreasonable in terms of credibility, because how can you change this big education system—and I am going to estimate that we are spending $427 billion a year on kindergarten through 12 in all our sovereign States and all the school districts. You tell me how that $200 million or $300 million targeted in some way—Mr. President, a former Governor, tell me how that $200 million or so spread across this land can have a real impact on a system that is as diverse as America and into which we are spending $417 billion and we can't get the job done. It can't be that the million dollars is going to help. It is only that we make it appear as if it is going to help. We invent the amendments and the bills, and sometimes we even take a poll before we invent them to see what it is the people want.

Who can be against more teachers? But if you fund the States with more money for IDEA, the disabled children, which we are already obligated to do, it relieves an equal number of dollars for them to use for teachers if they would like. Some are frightened, however, that the States and the schools might not use it for more teachers. They might use just a little piece of it for that because they already might have sufficient teachers.

It is not a new thing in education that we dreamt up here in Washington that we need more teachers in our schools, although it is still not unequivocal as to whether reducing the size to the level we contemplate nationally is what every school system thinks would do the job best for their children. That is not decided yet. That is still out there feverishly being tossed around with many other concepts in terms of education.

So, Mr. President, this is just the beginning—this flexibility—of what I hope is a real effort by the U.S. Government to reform its own education commitment to our States. We are all saying we want the States to reform, we want them to be more accountable. Well, when the bill comes up this year on primary and secondary education, it is my hope that we will not do more of the same. It is my hope that we will seriously consider a total reform of those programs, because if we are asking the States to do better, it is pretty obvious that we can do better also. As a matter of fact, I believe it is borderline these days as to just how much the Federal Government's assistance is really raising the education level of our children.

I repeat, if I had my way, and we could focus it into the right channels, I would be for more Federal aid to education, not less. But I guarantee you, with the myriad of programs, as I have described them, spread throughout Government with no accountability, one program to another, I would not be for spending more money to feed that kind of educational assistance when I have very serious doubts as to whether it has contributed significantly to helping our young people.

I yield the floor.

Mr. JOHNSON addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Mr. President, the Senator from South Dakota was here before I was. Does he wish to have time on the Democratic side?

Mr. DOMENICI. Mr. President, we were rotating. I will take the privilege of saying that Senator KENNEDY would yield to Senator JOHNSON.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. JOHNSON. Mr. President, I will be brief.

I ask unanimous consent that Susan Hansen of my staff be permitted to be on the floor.

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

Mr. JOHNSON. Mr. President, I join with my colleagues, Republican and Democrat, in expressing support for the underlying Ed-Flex legislation that we are taking up today. This legislation recognizes that the final thought in how to prioritize educational needs in our school districts and our States does not reside exclusively here in Washington. It will commit to a level of innovation that I think is needed in the 50 States, and with the proper accountability, provide for many different strategies designed to improve student achievement all across this country.

However, I think Congress would be remiss if it stopped there. I think there are a number of very constructive amendments being offered relative to this legislation, not least of which is the afterschool program amendment being offered by the Senator from California, Senator BOXER, to provide for what I believe is a commonsense kind of Federal, State and local partnership, to provide for an enhanced ability to deal with afterschool programs for children K through 12.

This is not a new idea and it is not the province of either particular political party. There has been a tremendous amount of effort through the 21st Century Community Learning Centers Program across some 46 States today that have afterschool programs of one kind or another, in 800 different schools, involving some 190,000 students. This amendment would create the kind of partnership that would not involve Federal bureaucracy or Federal micromanagement, but would provide some additional resources for our States and our schools to expand afterschool efforts to 1.1 million additional students in the United States.

Our school budgets are strapped. Property taxes that fund school districts in many of our States are already too high.

It is apparent to anyone who has had any discussions with school leaders and community leaders and child advocacy leaders that they simply cannot go it alone, that this kind of effort requires a new form of partnership.

Not least of all, one of the great gains that we have already seen demonstrated by effective afterschool programs in this country has been a significant reduction in juvenile crime. At a time when we see crime rates going down nationally but yet crime rates among children, among young juveniles, in too many instances going up, there is a need for an additional strategy, an additional partnership to address that crisis.

Every study we have presented to the Senate indicates that most juvenile crime occurs between 3 o'clock in the afternoon and dinnertime. That is when experimentation with drugs, with alcohol, with sexual activity, and with gang participation most often occur, it is when it is initiated, and it is the

time when we most need this kind of partnership not just with our schools but with other community organizations and civic organizations to provide alternative kinds of activities for young people.

The studies have already shown that to the degree we have these effective programs in place, they have cut juvenile crime by anywhere from 40 to 70 percent. That is why we have such broad-based support from national law enforcement and police groups across this country. And it is why we can make a contrast between the modest expenditure required to significantly increase these afterschool programs and the alternative cost of incarceration. The cost of keeping a young person in a juvenile facility and ultimately in a prison equates roughly to the cost of sending them to Harvard for a year. For a much more modest expenditure, we can keep whole communities intact, have the kind of responsible adult supervision, and have the kind of focus in these young people's lives that they so badly need.

I have been holding meetings all across my home State of South Dakota, meeting with parents, with teachers, with law enforcement officials, with child care providers, and the need for expanding after school programs is obvious. More and more families are working. Both spouses are in the workplace, neither of them at home, because of the economic necessity of having a two income household. South Dakota has one of the highest ratios of two-spouse incomes in the Nation. More and more single-parent households as well find themselves confronting the latchkey option with their young people in the family.

As a consequence of this very apparent reality, South Dakota. Has struck a bipartisan level of cooperation and understanding about the need for these programs. My Governor, Republican Governor William Janklow, has been one of the more forceful advocates of an expanded State-local partnership on afterschool programs. I applaud his leadership on the issue. He has secured the services of Loila Hunking, the state coordinator for child care services and a long-time Democrat activist, to head up his afterschool program. It has been a model in many ways and reflects what States in other parts of the country have been doing to bring both sides together to set aside political polarization and, instead, to focus on what in fact is in the best interest of our kids and our communities.

But it is all too apparent—even though we have been building facilities and afterschool program facilities that can be used for afterschool programs, and day-care centers, even though we are scraping to find private funds to match local school funds and State funds—that the resources simply are not there, and all too often the communities where the need is the greatest are the communities that have the least financial capability of providing for these kinds of programs.

So, again, if we can come up with this amendment to authorize adequate funding for an afterschool program, we will, make a long stride forward not only to anticrime strategy but a pro-education strategy and one that both political parties can rally around. I think it compliments our Ed-Flex legislation. It compliments everything else that we are doing here on the floor today.

I want to again applaud Senator BOXER, Senator KENNEDY, and others who have worked hard to promote this afterschool amendment and the underlying Ed-Flex legislation as well.

Mr. President, how much time remains on each side?

The PRESIDING OFFICER. Six and one-half minutes on your side.

Mr. JOHNSON. I retain my time and yield the floor.

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, first I will yield 10 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 10 minutes.

Mr. GREGG. Mr. President, I thank the Senator from Vermont. I want to congratulate the Senator from Vermont and the Senator from Tennessee, Senator FRIST, for having brought this bill finally to a vote after what was considerable resistance from the other side and what amounted to essentially a blocking of this bill as initiative after initiative after initiative was brought forward from the other side.

I think you have to look at the context of this bill in the context of those amendments from the other side that were offered. The concept of this bill is to give local communities, local teachers, local principals, and local school boards the ability to apply the Federal funds and to be released from the burden, the cost, and the interference of Federal regulations. That is what Ed-Flex is all about.

Thus, it is with some irony and significant inconsistency of the proposals that we have seen thrown at this bill from the other side do just the opposite. They create new program initiatives, almost all of which have been subject to no hearings, no disclosure in the sense of the congressional process, almost all of which create brand new, federally mandated, programmatic initiatives which tell the local communities, you must do this in order to get these Federal dollars: You must do this in order to get these Federal dollars. And the directive comes from here in Washington. It says that some group of bureaucrats sitting in the Department of Education, or at the White House, or maybe just the leadership on the other side of the aisle, is going to tell some school district in New Hampshire, or Vermont, or Missouri, or wherever, how to manage their day-to-day activity of managing the education of children.

Those proposals, which are being put forward—whether it is the 100,000 teachers, the afterschool program, the school building program—are all fundamentally inconsistent with the underlying purpose of this bill, which is to free up the local communities from the burden of Federal regulation.

More significantly than that, every one of those proposals suggests as its funding mechanism taking money from the special education accounts, money that is due the special education children of this Nation under the law that was already passed by this Congress—taking that money and using it for a brand new Federal program instead of putting it where it is supposed to be, which is with the special education child through 94–142.

Let's review that issue for a second, because it is so critical to this whole debate.

We have put forward an amendment on our side that says: Before you start a new program, before you create a new panoply of Federal regulations, let's do the job that we said we were going to do for the special education kids in this country; let's pay, or begin to pay, a higher percentage of the cost of special-education education.

When the special education bill was originally passed, the Federal Government said it was going to pay 40 percent of the cost. It dropped down to where the Federal Government was only paying 6 percent of the cost 3 years ago. And that difference, that 34 percent, was having to be picked up by the local taxpayers. The Federal share was having to be paid for by the local taxpayer. So that skewed education at the local community.

So, if the local teacher needed some assistance in their classroom, maybe a teaching assistant, or, if a principal needed an addition onto the school, or needed some new computers, they couldn't buy those kinds of things, they couldn't hire that new teacher. Why? Because the Federal Government wasn't paying its fair share, its obligated share, of the cost of special education. And the local community was having to take local dollars to support the Federal obligation for special education.

So what did the other side come forward and suggest? We are not going to pay any more money to special education. We are not going to increase that money at all. This administration set up a Federal budget. Instead of new money for special education, it essentially flat-funded that program and took the money that was supposed to go to special education and put it in all these new programs they created.

What does the local school district do now? They get hit twice: First, they get hit by the Federal Government, which refuses to pay for the special education children to the tune of the 40 percent they are supposed to. Then, they get told, if you want to get the dollars from the Federal Government, which is supposed to be coming to you

for special education, you have to follow one of these brand new, great ideas that the President has held a press conference on. You have to follow one of these press conference initiatives, whether it happens to be more teachers, more classroom size, or more after-school programs.

So the local school district, in order to get this money, first loses it, and then it is told, ''Oh, but we will give you the money that we just took from you, but you are going to have to follow what we want you to do here in Washington.''

How arrogant can we get? At what point does the arrogance of this administration stop in the area of education?

I do not believe that there is one person in this administration who can name more than maybe one child at Epping Elementary. I do not believe they have any idea what the child in the Epping Elementary School needs for education. When that teacher in the Epping Elementary School walks into that classroom and that teacher knows every child at every desk and knows what the child needs for education and knows that they need more books or more computers or maybe they need another teaching assistant, it should be that teacher who makes the decision as to what is used to help that child's education. It should not be here in Washington that that decision is made. And yet, that is exactly what these proposals suggest: Don't give the local school districts the flexibility to spend their own money on special ed, to spend their own money on general education activities. Instead, force the local school districts to take up the Federal share of special education costs and then tell the local school districts that because we want you to have more teachers in order for you to get the money which was supposed to go to special ed, you have to apply and take on this new Federal program.

It is total hypocrisy. It is total arrogance. And yet, it is these proposals that are coming forward. Fortunately, the people in this Congress, at least in the Senate, are going to have a chance to make a choice. They are going to have a chance today, because we are going to give them the option. We are saying that the money last year which was appropriated for the teachers' program, $1.2 billion, let's free that money up so that local school districts can make the choice: Do they want a new teacher or do they want the money to come to the special education accounts?

That is the simple choice that comes on the Lott amendment which was drafted by the Senator from Vermont and myself and the Senator from Tennessee, and it is really an excellent idea. We will find out what the local school districts need more. Do they want the dollars for special ed, or do they want the dollars for teachers? It is a perfectly reasonable proposal, and it is flexibility in the tradition of Ed-Flex.

So this amendment, this underlying amendment, about which I have heard people on the other side get up and say, oh, I can't support that because it pits one group of students against another group of students, well, ladies and gentlemen, the people who are pitting one group of students against the other group of students is the administration and the people who support these administration initiatives, because what they have done is to say we are going to pit the special ed students, who we are supposed to be funding, against our programs coming from Washington because we are going to take their money and use it.

That is where the real conflict comes. So we are going to give you an opportunity. We are going to give you an opportunity to live up to the obligations which the Federal Government put on the books back in 1976 and has refused to live up to. And we are going to give the communities the option of choosing whether they want a teacher, a program directed from Washington, designed by Washington, told to them how to operate by Washington, or whether they want to free up their local dollars by getting more special ed dollars that the Federal Government was obligated to pay in the first place and use those local dollars to either, one, hire a teacher; two, buy books, add new computers, add a new classroom, whatever they want to do with it. That is the ultimate flexibility.

The choice is going to be pretty clear here today as to how you want to manage education in this country. You can vote for all these directives from Washington, all these programs which are made for the creation of press conferences but give the local communities no flexibility and no opportunity to make their choices as to how they spend the money, or you can vote to give the local communities true flexibility by funding an obligation that has been on the books since 1976 and thus freeing up the dollars for the local community to either hire teachers, buy books, add classrooms, or create after-school programs. I opt for the side of giving local communities, teachers who know their kids, principals who know their schools, parents who know their children, the opportunity to make decisions on dollars rather than the Federal bureaucracy or even an American President.

Mr. President, I yield the remainder of my time back to the floor manager.

Mr. JEFFORDS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 9 minutes.

Mr. JEFFORDS. Mr. President, I yield 2 minutes to the Senator from Alabama.

Mr. SESSIONS. I thank the Chair.

I appreciate the work Senator JEFFORDS has done.

Mr. President, I would like to share just a few thoughts. I have been involved in education with my children. I have taught, my wife has taught in public school. We care about education. We have school boards all over America that care about education. I know one of the school board members in my hometown of Mobile, AL, exceedingly well. His abilities and talents will match any Member of this body. He knows a lot more about the education going on in his area than we know in this body. Who is to say what is the best way to expend money to improve our children's education? The thing that counts is that magic moment in a classroom when learning occurs and children are motivated and inspired to do better.

I do not believe this Congress has the ability or has a proven track record of improvement. We now have a host of amendments. We have 788 Federal programs—788. We had an amendment offered yesterday that would mean the 789th; it would create a dropout czar for America.

I have been involved in local programs to deal with dropouts. Programs like that are happening all over America. It is not going to be solved by some Federal dropout czar.

This legislation is precisely what we need. It needs to go out of here clean, not as an appropriation, big Government spending bill, but a bill that gives flexibility to the schools.

The Presiding Officer was Governor. He knows how much benefit was gained when welfare reform was accomplished and we gave flexibility to Governors. I think it is time we give flexibility to our State and local school systems to improve education.

I thank the chairman, the Senator from Vermont, for his leadership. This is good legislation. It is time for us to pass it, and we can debate these issues about how further to help education when the elementary and secondary education bill comes up, which the Senator will be leading later this month.

I thank the Senator.

Mr. GRAMS. Mr. President, today the Senate debates an important bill designed to facilitate education administration and free more resources for our students. The ''Education Flexibility Partnership Act of 1999'' would extend the ''Education Flexibility Partnership Demonstration Program,'' otherwise known as ''Ed-Flex.'' Ed-Flex allows eligible local school districts to forgo Federal red tape that consumes precious education resources. In return, States must have sufficient accountability measures in place and continue to make progress toward improving student education. States must also comply with certain core Federal principles, such as civil rights. The concept of Ed-Flex is simple, yet the benefits would be significant. In other words, let's put more money into educating our kids in the classroom rather than lining the pockets of bureaucrats.

The Ed-Flex demonstration program is currently in place in 12 States. The ''Ed-Flex Act of 1999'' would allow all 50 States the option to participate in

the program. With good reason, the program has been very popular. Unnecessary, time-and-money-consuming Federal regulations are rightly despised by school administrators. Did you know that the Federal Government provides only seven percent of local school funding, but requires 50 percent of all school paperwork? That is ridiculous. Again, let's put money into the classroom instead of bureaucracy.

Ed-Flex is a step toward allowing more localized decisionmaking authority—the power to decide when the Federal regulations are more troublesome and expensive than they are worth. Today, there are simply too many regulations which are despised by school administrators.

Giving more decisionmaking authority to States and local school districts is good common sense. Naturally, those who are closest to our students are in the best position to make the most appropriate and effective decisions concerning their education. One-size-fits-all legislation may work well in other areas, but not in education. Some of the most successful classrooms across our Nation vary tremendously in their structure, functioning, and appearance.

In my home State of Minnesota, for instance, we have very rural communities, urban communities, and everything in between. We have got farm kids, suburban kids, and city kids. And all of these kids are students. And I know this sort of rural-to-urban community-mix is typical for most States. How much sense does it make then, to require local school districts and classrooms—all with their own particular strengths and weaknesses—to follow, in lock-step, the homogenized, uniform routine of Federal bureaucracy? Not much.

We have some opportunities before us to do something meaningful for our children's education. A complementary possible amendment to Ed-Flex which promotes local decisionmaking power is Senator GORTON's block grant amendment, as well as Senator HUTCHINSON's Dollars to the Classroom Act. Under these proposals, many federally funded K–12 programs would be consolidated and the dollars sent directly to states or local school districts—free from the usual Washington red tape. This helps to ensure that our education dollars go to students, as opposed to bureaucrats.

Similarly, Senator COVERDELL's Education Savings Accounts and School Excellence Act is an important step forward in restoring decisionmaking authority to parents and families—where it is needed. The bill simply allows families to save for their children's education, without tax penalty. It would expand the college education savings accounts established in the Taxpayer Relief Act of 1997 to include primary and secondary students. It would also increase the annual contribution limit from $500 to $2,000 per child. The money could be used without tax penalty to pay for a variety of education-related expenses for students in K–12, as well as college expenses.

This is a simple, straight-forward initiative for families and students. Common sense would have had us pass the Education Savings Accounts bill long ago. Unfortunately, tired, groundless attacks continue. The charge I hear most frequently is that ''education savings accounts and tax breaks for parents would shift tax dollars away from public schools.'' That is simply not the case.

More education dollars under parental control would promote education by encouraging parents to save, invest in, and support programs and materials that facilitate and provide the right option for a child's education.

We all want the best education available for our children, and to improve the state of American education and schools for all children. It would be nice to think that we could solve the problems of education by spending more and more money. Unfortunately, that doesn't work. The United States is the world leader in national spending per student. Yet our test scores show that our system is failing our children.

Test results released last year show that American high school seniors score far below their peers from other countries in math and science. We are at rock bottom. It is going to take more time and effort to solve these problems—and the most important work will be done by those in the best position to do so: parents, teachers, and local administrators. We must give them the freedom they need to accomplish the job. This freedom comes with the authority to make decisions based on a variety of specific needs. I will continue to support measures like the Ed-Flex legislation that return money and control—from Washington—to parents, teachers, and local school districts. After all, they know best how to spend education dollars.

Mr. MCCAIN. Mr. President, I rise today to express my support for S. 280, the Education Flexibility Partnership Act of 1999, which would free all fifty states from many of the costly and burdensome federal regulations which are imposed on them by the federal government. These unnecessary regulations prevent their schools from providing innovative and effective academic opportunities for millions of young Americans. I am proud to be an original cosponsor of this measure which would expand the current Ed-Flex program to all fifty states.

One of the most important issues facing our nation is the education of our children. Providing a solid, quality education for each and every child in our nation is a critical component in their quest for personal success and fulfillment. A solid education for our children also plays a pivotal role in the success of our nation; economically, intellectually, civically and morally. We must strive to develop and implement initiatives which strengthen and improve our education system, thereby ensuring that our children are provided with the essential academic tools for succeeding professionally, economically and personally.

The most exciting aspect of this bill is that it brings teaching back to our classrooms and frees our schools from excessive filing, correlating, faxing and shuffling of paper. It would allow schools like Barbara Bush Elementary School in Mesa, Arizona to focus on helping children learn essentials like reading and using a computer. It would allow Barbara Bush Elementary School to focus on teaching its students rather than wasting its valuable educational resources for filing, typing, refiling, and faxing paper to the bureaucrats in Washington, DC.

It is important to note that all states which obtain an Ed-Flex waiver must adhere to basic Federal principles, including the protection of civil rights, educational equity and academic accountability.

Like many Americans, I have grave concerns about the current condition of our nation's education system. If a report card on our educational system were sent home today, it would be full of unsatisfactory and incomplete marks. In fact, it would be full of ''D's'' and ''F's.'' These abominable grades demonstrate our failure to meet the needs of our nation's students in kindergarten through twelfth grade.

Our failure is clearly visible throughout the educational system. One prominent display of our nation's failure is seen in the results of the Third International Mathematics and Science Study (TIMSS). Over forty countries participated in the 1996 study which tested science and mathematical abilities of students in the fourth, eighth and twelfth grades. Tragically, our students scored lower than students in other countries. According to this study, our twelfth graders scored near the bottom, placing 19th out of 21 nations in math and 16th in science, while scoring at the absolute bottom in physics.

Meanwhile, students in countries which are struggling economically, socially and politically, such as Russia, outscored U.S. children in math and scored far above them in advanced math and physics. Clearly, we must make significant changes in our children's academic performance in order to remain a viable force in the world economy.

We can also see our failure when we look at the Federal Government's efforts to combat illiteracy. We spend over $8 billion a year on programs to eradicate illiteracy across the country. Yet, we have not seen any significant improvement in literacy in any segment of our population. Today, more than 40 million Americans cannot read a menu, instructions, medicine labels or a newspaper. And, tragically, four out of ten children in third grade cannot read.

Another clear sign of our failure is displayed by the inadequate preparation of many students when they exit the system. The number of college freshmen who require remedial courses in reading, writing and mathematics when they begin their higher education is unacceptably high. In fact, presently, more than 30 percent of entering freshman need to enroll in one or more remedial courses when they start college. Equally dismal is a Wall Street Journal report that two-thirds of job applicants for a division of the Ford Motor Company ''fail a test in which they are asked to add fractions.'' It does not bode well for our future economy if the majority of workers are not prepared with the basic skills to engage in a competitive global marketplace.

I am also disturbed by the disproportionate amount of federal education dollars which actually reach our students and schools. It is deplorable that the vast majority of federal education funds do not reach our school districts, schools and children. In 1995, the Department of Education spent $33 billion for education and only 13.1 percent of that reached the local education agencies. It is unacceptable that less than 13 percent of the funds directly reached the individuals schools and their students.

My home state of Arizona receives approximately $420 million each year in federal education funding. These funds account for seven percent of Arizona's education budget, yet it takes almost half of the staff at the State Department of Education to administer the numerous rules and regulations which accompany the federal dollars. This means that half of the Arizona Department of Education staff is busy working on Federal paperwork rather than developing improved curriculum, helping teachers with professional development skills and working to improve the quality of education for Arizona children. This is a sad commentary on the current structure of our educational system.

Much of the Federal Government's involvement in education is highly bureaucratic, overly regulatory, and actually impedes our children's learning. Clearly, we need to be more innovative in our approach to educating our children. We need to focus on providing parents, teachers, and local communities with the flexibility, freedom, and, yes, the financial support to address the unique educational needs of their children and the children in their communities. This is precisely what the Ed-Flex program does. It removes the obstacles for innovative, productive and successful educational initiatives in our classrooms and frees our schools from the choking grip of federal bureaucrats.

Mr. President, it is absolutely crucial, as we debate this and other proposals to reform our educational system, that we not lose sight of the fact that our paramount goal must be to increase the academic knowledge and skills of our nation's students. Our children are our future, and if we neglect their educational needs, we threaten that future.

I am gravely concerned that goal is sometimes lost in the very spirited and often emotional debate on education policies and responsibilities. Instead, this should be a debate about how best to ensure that young Americans will be able to compete globally in the future. I believe the key to academic excellence is broadening educational opportunities and providing families and communities both the responsibility and the resources to choose the best course for their students.

Ed-Flex is an important step in our journey to improve our nation's education system and better prepare our children so that each of them has much more than their individual dreams of becoming an astronaut, fire fighter or pilot. The bill is an important step towards ensuring that our children not only dream but have the capacity to make their dreams a reality. This is what education is all about—providing an endless realm of possibilities through knowledge. But it is just the first of many steps which we need to make to ensure that the best interests of our children, our future are being realized. I look forward to working with my colleagues as we continue this journey towards a strong and successful educational system.

Mr. BYRD. Mr. President, I have long been concerned about our nation's education system and the many problems that individual classes across the country grapple with every day. When I reflect on my days in a two-room schoolhouse, I have fond memories of my teachers and classmates, and, most importantly, my learning experience. The students were disciplined, my teachers were serious about their work, classes were small and well-kept, and students thrived on learning for learning's own sake. We did not have the kinds of problems so common in schools today.

I do, however, recognize that with each passing year, educating our nation's children becomes an even more formidable challenge. I am pleased that we were able to address a few of the many concerns facing parents, students, and educators as part of the Senate's debate on this bill, S. 280, the Education Flexibility Partnership Act of 1999. With classrooms bursting at their seams with students, there is a definite need for smaller class size. Students do better when they have the individual attention of a teacher. Moreover, I believe that this kind of environment provides teachers and students with a setting truly conducive to quality instruction. We, as a nation, need to do more in this regard.

But, Mr. President, there are also other pressing education priorities for states, including funding for the Individuals with Disabilities Education Act (IDEA), which remains underfunded to date. Disabled children deserve the same opportunity to receive a good education as those without a disability. I am hopeful that we in Congress will continue to build toward the forty-percent funding commitment that was established as part of the IDEA legislation. I believe, however, that reducing class size and providing for the needs of disabled children are both worthy goals that are not mutually exclusive, and I am troubled that efforts to provide sufficient resources to achieve one of those goals may have the effect of undercutting the other. The notion of pitting these two worthy goals against one another to score partisan political points is embarrassing. Certainly, both can, and should, be accomplished.

While many important education programs and new initiatives have been discussed during the Senate's debate of S. 280, I believe that the underlying legislation offers some benefits in the form of flexibility. I do have concerns that there is little substantive performance data on the impact of Ed-Flex in the states now operating with it. I would have preferred to see some positive results on student achievement levels prior to making this type of expansion. But I am hopeful that the education accountability built into this legislation will hold states to a higher standard and serve as an incentive to all states seeking Ed-Flex status. I am also somewhat comforted by the fact that the bill contains a sunset provision, which will force the Congress to revisit this issue, and, I hope, live up to its oversight responsibilities.

Mr. President, it disturbs me greatly to witness the political divide in this body on such an important issue which affects us all, whether it be our own child's education, that of a grandchild, or a neighbor's child. We are all for education—it is the country's number one priority, and with many problems to solve, it is time for us to work together to make every child's educational experience a rewarding one.

Ms. SNOWE. Mr. President, during the consideration of S. 280, the Education Flexibility (Ed-Flex) Partnership Act of 1999, several new education proposals have been advanced by my colleagues on the other side of the aisle. In particular, an issue that has received prominent attention is an amendment that would authorize federal monies for the hiring of 100,000 new teachers.

Like my colleagues, I am strongly committed to improving K–12 education and ensuring that the unique needs of our nation's schools are addressed. While the federal government provides only a fraction of our nation's total K–12 education spending, the amount that it does provide is critical to ensuring that our nation's children receive the quality education that they need and deserve.

Mr. President, as I look at the various challenges and issues facing our nation's schools, it is clear that every state and every community has different needs, even if some of these

needs are fairly pervasive. While one community may feel that its greatest need is the hiring of more teachers, another may feel that buying new textbooks or purchasing computers for the classroom may be the most pressing need.

Over the years, various federal education programs have been created to assist state and local governments in addressing their disparate needs, including programs that are designed to address issues that demand national oversight. For instance, more than 20 years ago, the federal government appropriately demanded that individuals with disabilities receive a quality education, and the Individuals with Disabilities Education Act (IDEA) was enacted accordingly.

Unfortunately, even as the federal government appropriately mandated that disabled children be educated at the local level, it has continued to fall woefully short in fulfilling its promised commitment to cover 40 percent of the associated cost. In fact, as several of my colleagues have emphasized, the federal government only funds approximately 10 percent of the cost today—and that paltry percent has only been achieved through Republican-led efforts over the past three years to increase funding for IDEA by 85 percent!

As a result of the ongoing federal shortfall, state and local governments are not only forced to cover the 60 percent share that was agreed to—but they also pick-up the missing 30 percent federal share.

Mr. President, this broken promise on the part of the federal government must not continue. Not only does it represent a failure on the part of the federal government to meet an important obligation to our nation's disabled children, but it also forces states and communities to divert their scarce resources for this unfunded mandate—resources that could otherwise be used to address a wide variety of local needs, including the hiring of new teachers.

To demonstrate the impact of this unfunded mandate, consider that in my home state of Maine, the federal government currently provides approximately $20 million for the education of the disabled, while the state and local governments are forced to shoulder more than $200 million of the cost. Therefore, if the federal government were to fulfill its 40 percent commitment, an additional $60 million would flow to the state.

That's $60 million now spent by Maine's state and local governments to cover a federal commitment—$60 million that would otherwise be freed-up to address distinct and pressing local needs. Sixty million dollars.

Needless to say, this shortfall has not been overlooked by officials at the state or local level. During a recent meeting with representatives of the Maine Municipal Association, local officials emphasized to me the need for the federal government to fulfill its commitment to fund 40 percent of the cost of educating the disabled because of the substantial budgetary impact it is having on their communities.

And during the recent gathering of the National Governors Association (NGA), the Governor of Maine, Angus King, interrupted President Clinton during his presentation on education issues to hammer home the need for special education funding. As quoted in a March 1, 1999, article in the Portland Press Herald, Governor King ''raised his hand and interrupted'' the President saying:

> Mr. President, I'm bringing you a report from Franklin, Maine, and a lot of other places in Maine. What I'm telling you is that if you want to do something for schools in Maine, then fund special education and we can hire our own teachers and build our own schools.

Mr. President, I don't believe the thoughts and comments by the Governor of Maine are unique to our state. This is a national problem that requires federal action. Paying ''lip-service'' to this funding commitment is no longer enough. We cannot simply brush off the comments of governors and local leaders by expressing support for the full-funding of education for the disabled and not achieving it—rather, it's time to actually deliver on the promise made more than 20 years ago.

For this reason, I believe Congress should ensure that the federal share of education for the disabled is fully-funded before new programs are created. Not only will this ensure that a long-standing federal promise will finally be met, but it will also ensure that distinct local needs—which may include the hiring of new teachers—can be readily addressed.

During the upcoming reauthorization of the Elementary and Secondary Education (ESEA) Act, there will be countless opportunities to reform and improve federal education programs that are intended to address distinct needs. But the time to create truly new federal education programs—and to devote federal resources to these new proposals—should not occur until we have met our outstanding federal obligation to disabled children and to the states and communities that educate them.

Mr. President, the time to fully-fund the federal share of education for the disabled is now. I urge that my colleagues vote to ensure that any new K–12 education monies be used to meet this commitment, and to finally fulfill a federal promise made to state and local governments more than 20 years ago.

Mr. KOHL. Mr. President, I rise today to express my intention to vote for final passage of the Education Flexibility Act. Although this bill is far from perfect, I support the underlying principle of flexibility in education, and believe we should move this bill forward.

Despite my support for giving local school districts more flexibility in improving education, I have serious concerns about this bill. Last year, we passed a new initiative to hire 100,000 teachers to reduce class size in the early grades. We approved this program on a bipartisan basis, recognizing that research has shown that smaller classes give teachers more time to spend with individual students and improves student achievement.

School districts in Wisconsin are already putting together their budgets and planning to use this Federal money to hire teachers. They are looking to Congress to send them assurances that the teachers they hire today will receive Federal support over the next six years. I am extremely disappointed that the Senate failed to adopt Senator MURRAY's class size amendment, which would authorized the program for six years and given our school districts that assurance. I am hopeful that we can still address this important issue later this year.

In addition to the Senate's failure to authorize the class size initiative, I am also concerned that the bill, as amended, pits students with special needs against other students in fighting for education funding. This is inexcusable—and unnecessary.

I agree that the Federal government must live up to its obligation to pay for 40% of the costs of special education. It is a responsibility we have failed to meet for far too long, and I will continue to fight for full funding of special education. However, I believe it is time that we make education of all our children—including those with special needs—our top priority. There is no reason why we cannot fully fund all of our educational needs in this country. We should fully fund special education, and we should fully fund class size, and after-school programs, and school construction. We can do all of these things—and we should not pit any of these vital programs against one another as some have tried to do here today.

I am extremely concerned about the amendments that were added to this bill today. Although I recognize that school districts need additional resources for special education, I believe these amendments wrongly force them to choose between special education and hiring teachers—another essential need they face. We should not force them to make this choice—we should provide enough funding to fill both needs.

Although I am deeply troubled about these amendments, I will vote for final passage of the bill because I believe in the original intent of providing more flexibility to States and local school districts. I am voting for it now because I think we need to move this bill forward. However, I strongly believe these amendments should be dropped in conference. If this bill comes back from the Conference Committee with these amendments still included, I will be forced to oppose the bill.

Mr. President, I still hold out hope that these problems can be worked out in conference, and that we can move

this bill, which was originally a bipartisan bill, forward expeditiously.

Mr. DEWINE. Mr. President, I rise today in strong support of S. 280, the Education Flexibility Act. This legislation will give greater responsibility, flexibility, and control to local schools. That's where the students, parents, and teachers are. That's where the education happens.

That's where the control ought to be. I have been fighting for our teachers and local school administrators for many years, and I think one of the most important things we can do for them is liberate them from Federal red tape—so they can do what they do best: Teach our kids.

In offering this bill, our distinguished colleague from Tennessee, Senator FRIST, is striking a blow for freedom in American education.

This bill would expand an existing pilot program to all eligible states. It is a good deal for the states—in this bill we offer to free the states from the burden of unnecessary, time-consuming Federal regulations. In return, all states have to do is comply with certain core principles, such as civil rights, and establish a system of accountability. The bill also would require states to have a system of waiving their own regulations.

My own home state of Ohio has been one of the pilot programs and has provided over 200 waivers for local schools. For example, the Eisenhower teacher training program only supported math and science training. Using ed-flex, Ohio waived this requirement—and today schools can use this program for training teachers in other subjects such as reading and social studies.

The Ohio Department of Education, in its annual report to the Secretary of Education, reached the following conclusion, and I quote: ''The greatest benefit to having Ed-Flex authority is that it, combined with the ability to waive State rules and statutes, establishes a school-planning environment unencumbered by real or perceived regulatory barriers. This environment encourages creativity, thoughtful planning, and innovation.''

Mr. President, that's as true everywhere else in America as it is in Ohio. And that's why this Ed-Flex bill has such strong bipartisan support.

But I should note that while Ed-Flex is an important step forward, it is just a single step. We need to do more. Over the next year, the Health, Education, Labor, and Pensions Committee, on which I serve, will be working on the Elementary and Secondary Education Act of 1999—which will deal with almost all of the federal programs that impact K–12 grade education. When the Elementary and Secondary Education Act was passed in 1965, it was 30 pages long, today it is more than 300 pages long. As a member of that committee, I will be looking to empower parents, support local control, promote effective teacher training programs, recognize and reward excellent teachers, and send more money back to the states and local schools with no strings attached.

Remember: The Federal Government provides only 6 percent of local school funding, but demands 50 percent of the paperwork that burdens local teachers and administrators. That burden demands nearly 49 million hours each year—or the equivalent of 25,000 school employees working full time—on paperwork, not kids. There are over 700 separate federal education programs spread across 40 separate federal bureaucracies.

Mr. President, I am concerned about the quality of our children's education. The Third International Math and Science Study recently reported that out of 21 countries, the U.S. ranked 19th in math and 16th in science, barely ahead of South Africa. Verbal and combined SAT scores are lower today than they were in 1970. Businesses spend more than $30 billion annually in retraining employees who cannot read proficiently. Nearly 30 percent of college freshmen need remedial classes.

Mr. President, these are disturbing statistics. As we move forward to improve our children's education, I urge my colleagues to remember that the most important education tool in any classroom is a qualified, highly trained teacher. After parents and families, America's teachers play the most important role in helping our children realize their potential. Our current teachers are doing a good job—indeed, a great job—given the resources they have to work with. Clearly, it's time to change the way we allocate resources. It's time that today's teachers get more support and training and less paperwork from the federal government.

I want to thank the sponsor of the Ed-Flex legislation, Senator FRIST, for his work with all members to improve this bill. The manager's amendment that we accepted last week addresses many of the concerns that have been raised about this legislation. Without going into the details of the amendment, I would simply point out that it will strengthen accountability measures currently in the bill, require states to coordinate their Ed-Flex applications with state comprehensive plans, emphasize school and student performance as an objective of Ed-Flex and add additional provisions for public notice and comment regarding Ed-Flex proposals.

Ultimately, our children's success in education depends on the support they receive at home and in the classroom. Our focus in Washington should be to take every opportunity to empower parents and then free local schools from regulations that prevent improvements and innovations in local schools.

Mr. President, that's why I strongly support this bill.

PREVENTION OF TRUANCY ACT

Mr. DODD. In the 105th Congress, I offered my legislation, the Prevention of Truancy Act, as an amendment to the Ed-Flex bill during the Labor and Human Resources Committee's consideration, where it failed on a tie vote. It was my intention to offer it on the floor on this bill. However, I am pleased instead to be on the floor with my colleague from Alabama, Senator SESSIONS, to discuss our common interest in assisting communities address this real and serious problem and express our intent to offer legislation similar to the bill I offered last year soon. We will also be working with Senator BINGAMAN who offered similar legislation last Congress and Senator COLLINS who supported my amendment in Committee last year.

Senator SESSIONS, a new member to the Committee on Health, Education, Labor, and Pensions and the Chairman of the Judiciary Committee's Subcommittee on Youth Violence, believes as I do that truancy is a gateway offense, and that this legislation would present us with an opportunity to catch good kids before it is too late. The Senator from Alabama has worked hard for the duration of his career on finding solutions to difficult issues such as truancy. I believe this legislation will truly make a difference in the lives of many children and, at the same time, prevent juvenile crime. I also believe that our working together will produce strong, solid legislation that we should all be able to support.

Mr. SESSIONS. Mr. President, I am pleased to be working with the Senator from Connecticut on truancy legislation. I am struck by the alignment of our interests here. I believe this is a national problem and one that deserves federal attention. I am pleased that Senator DODD and I have been able to work out an agreement here that avoids an amendment to the Ed Flex bill on this subject, which would be a concern for me and a number of my colleagues who very much want to be supportive in this effort to address truancy. I look forward to working with the Senator to bring forward a strong bill from my committee to support efforts to assist local governments in their efforts to reduce truancy.

AFTERSCHOOL CARE

Mr. DODD. Mr. President, I'd like to thank my colleague from Vermont for his cooperation in working out an agreement to address the need for afterschool programs as part of the Health and Education Committee's reauthorization of the Elementary and Secondary Education Act later this year.

As my colleagues know, I was planning to offer an amendment to the Education Flexibility Act, that I offered when this bill was in committee, to increase funding for programs serving children during out-of-school hours through the Child Care and Development Block Grant and the 21st Century Community Learning Centers Program.

I know that my colleague from Vermont shares my strong interest in ensuring that children have safe alternatives during the hours they are not

in school. He has been a leader for years on this specific issue as well as a tireless advocate for many other critical concerns of American families.

Mr. JEFFORDS. This is a very important issue for me, but not nearly as important as it is to the parents of the nearly 24 million school-age children who need care while their parents work. The issue of how best to meet the needs of school-aged children and youth will be addressed—not just in the context of one program, like the 21st Century Community Learning Centers Act, but within the framework of a comprehensive, cohesive review of Federal public education policy.

Mr. DODD. Out of consideration for the Senator's interest in moving this bill forward expeditiously, I have agreed to withdraw my amendment. I am pleased that Senator JEFFORDS has agreed instead to take up this issue as part of ESEA and to hold comprehensive hearings on the issue of after-school care this year.

I am particularly pleased that Senator FRIST shares our concern about the documented rise in juvenile crime that we see in the hours immediately after school. I also appreciate his pledge to work with us to increase support for afterschool programs.

Mr. JEFFORDS. I want to thank Senator DODD for helping us move the educational flexibility legislation along. I want to assure him and my Senate colleagues that the withdrawal of Senator DODD's amendment does not signal the end of the Senate debate on school-aged child care, but the beginning of our work.

Senator DODD has been a leader on child care and other youth issues for his entire congressional career. He has continually worked to craft effective legislation that will help children and their families, and I appreciate his tireless efforts.

By working together, I have little doubt that we can greatly improve the Federal Government's response to the needs of school-aged children and their families.

Mr. BAYH. Mr. President, I rise today as an original cosponsor of the Education Flexibility Partnership Act of 1999. I am pleased to join with a bipartisan group that includes thirty-three of my colleagues and almost all of the nation's governors, to ensure that all states have the flexibility to encourage education reforms of the highest standards in our schools. This legislation enjoys the support of the National Education Association, the National School Board Association, the National Conference of State Legislatures, and the National Governors' Association.

As many of my colleagues know, the Ed-Flex Program was established in 1994 under the Goals 2000 Program. It originally authorized 6 states to participate in a demonstration program that would allow States the ability to waive certain Federal regulations and statutes for local school districts and schools in return for high standards and accountability. In 1996, Congress expanded the Ed-Flex Program in the Omnibus Appropriations Act to include six more states. While this waiver authority may seem broad, Ed-Flex States may only grant waivers for selected Federal programs. Most importantly, these states may not waive Federal requirements relating to health, safety, civil rights, parental involvement, allocation of funds, participation by pupils attending private schools, and fiscal accountability.

With over 14,000 school districts in this nation, there cannot be one education reform plan that fits every community. Ed-Flex allows states and local education agencies to commit to common goals and purposes and yet allows them to choose the best path to achieve these results. Ed-Flex is not a cure-all for education reform. It is just a common-sense, practical tool that allows local school districts and schools to get back to the business of educating our youth and away from the business of filling out forms.

Most waivers granted under Ed-Flex have dealt primarily with the use of Title I funds on a school-wide basis and the allocation of Eisenhower Professional Development Funds for teaching disciplines other than math and science. These are common sense changes that have allowed local school districts and schools to use Federal dollars in a smart and efficient manner. Ed-Flex has also encouraged several states to streamline their own regulations and statutes, thus providing their schools with better guidance and clarity on state requirements.

Some of the requirements of Federal programs have produced nonsensical results. For instance, in my home state of Indiana, the town of Elwood operates two separate elementary schools. One of these schools meets the 50 percent threshold for Title I so it can implement Title I programs school-wide. However, the other school just misses this threshold and must restrict Title I resources to only Title I students. That particular elementary school in Elwood, Indiana would be cited by the State Board of Accounts if they were to allow non-Title I students the use of their computer lab which was paid for with Title I funding. These Federal requirements have not only produced two systems of elementary education for this town, but has created confusion over what sort of educational programs can be implemented. This kind of strict regulation is not only absurd, but counterproductive to school reform. As long as Title I students are being targeted for additional assistance, there is no reason a school should be prohibited from sharing its resources with all of its students. In twelve states, Ed-Flex has allowed local education agencies and schools to operate Title I programs on a school-wide basis thus equalizing the standard of learning for all students.

Some have raised the issue that Ed-Flex does not address the major concerns of our nation's school districts. While Ed-Flex will not on its own solve our education problems, it can spur our States and schools to creatively approach old problems in a new way. As a former Governor, I know first-hand how easing strict Federal requirements can help states achieve positive results. Any school teacher will tell you that there is no one lesson plan from which to educate all of our nation's students. Just as each child is unique in his or her capacity to learn and grow, so too our are nation's school districts unique. No matter how well-intentioned, the Federal Government cannot continue down the path of a one-size fits all educational system for our nation's children. Education is now and will continue to be the primary responsibility of local communities and states. Educators, community leaders, and parents are the best judges of what is good education policy for their schools. Each community has different needs and by expanding the Ed-Flex Program, we can allow them to partner with the Federal Government to achieve some truly outstanding results.

For example, a Maryland school district was able to identify a trend in math and science performance of middle school students who came from two elementary schools. After looking at the assessment results and the demographic make-up of the student population, they were able to use the waiver authority to implement comprehensive planning and greater resource coordination. The result has been improved reading and math instruction for this school district's elementary and middle school students.

Our nation's schools will face many challenges in the next century. Dilapidated school buildings, overcrowding in the classrooms, and a shortage of qualified teachers will place great demands on our country's educational systems. While Ed-Flex alone will not solve all of these problems it can ease the burdens placed on our educators so they can rise to meet the challenges of the future. I am pleased to vote in favor of final passage of the Education Flexibility Partnership Act which expands this successful program so that all states, not just twelve, have the opportunity to waive Federal requirements that present an obstacle to innovation in their schools.

I thank Senators FRIST and WYDEN for re-introducing this effective tool of reform. I believe this bipartisan approach is a step in the right direction towards helping our nation's schools achieve positive results.

Mr. THOMPSON. Mr. President, I rise today to express my support for the Education Flexibility Partnership Act of 1999, better known as Ed-Flex. This bill will help to restore the proper respect for the ability of states and local communities to educate our children. I applaud the work done by my colleagues, BILL FRIST and RON WYDEN,

and I am pleased to join them as a cosponsor of this bill. Ed-Flex is a common sense, bipartisan, cost-effective approach that empowers states and local communities to put their focus where it belongs—on educating our children, not on complying with federal mandates.

The principle of federalism is vital to our democracy. This principle holds that the Federal Governmental has limited powers and that government closest to the people—states and local communities—is best positioned to serve the people. Our Founding Fathers had serious concerns about the tendency of our government to centralize power and to encroach on a state's ability to improve the lives of its citizens.

This federal encroachment has been particularly pronounced in the area of education. The U.S. Constitution assigns Washington no responsibility at all for education. Indeed, for its first two centuries, America's Federal Government understood that the 10th amendment left responsibility for education to the states. America's education system works best when parents, teachers, and local school officials, who know our students best, make the decisions about where a school spends its money. But as federal involvement in education increased since the 1960's, Washington began to regulate how our schools spend their funds. Even after all these new regulations, America's dropout rates are near 40 percent in many urban areas, three-fourths of all 4th graders in high-poverty communities cannot read at a basic level, and our most disadvantaged communities remain in need of real education reform.

Americans understand that Washington can't possibly know what is best for a particular student in Memphis or in Los Angeles or in Miami. Patrick Jacob of Germantown, TN, wrote to me earlier this month to remind me that when the Federal Government tells our schools how to spend their money, it reduces the community's ability to take responsibility for educating our children.

There are real solutions in education and they are coming from states from Texas to North Carolina and Arizona and from cities from Milwaukee to New York. However, federal regulations often prohibit states from expanding these reforms. Ed-Flex will give state and local school officials greater freedom from burdensome requirements of federal education statutes or regulations that impede local efforts to improve education. For example, if the parents, teachers and leaders of a particular school district decide that additional money is needed for reading instruction, that school district should not be precluded from shifting its resources to achieve that goal. Ed-Flex will free our schools to make more of these critical choices for themselves. Ed-Flex costs American taxpayers nothing. And instead of sending another unfunded mandate down from Washington, it provides our states with what governors from both parties asked us for when they came to Washington last week—flexibility.

I urge my colleagues to join me in supporting this important legislation.

Mr. BINGAMAN. Mr. President, I rise in support of final passage of S. 280, the Education Flexibility Partnership Act of 1999 and would like to take a brief moment to describe my reasons for supporting this legislation. Despite serious concerns about the amendments that will be offered here on the floor today, I am voting for this legislation as a strong supporter of both increased federal flexibility and additional federal funding for special education.

First and foremost, I am in favor of making federal education programs as flexible as possible. Over the years, requirements and regulations in many areas have crossed the line from responsible monitoring to redundant paperwork. Much has been done in recent years to lessen administrative burdens and eliminate federal regulation. However, I strongly believe that federal education programs need to go farther in to set clear goals and then provide as much flexibility as possible to local policymakers, as well as principals and classroom teachers.

To that end, this bill will allow schools in all 50 states to apply for waivers from a set of state and federal education laws. I voted for expanding Ed-Flex in 1998, and I am proud to have supported creation of the demonstration program that gave New Mexico this flexibility three years ago.

I am also supporting this bill because I am a strong advocate of increased funding for special education. Special education provides specialized services to students that can require significant additional costs to schools and local school districts. These services are essential to these students, and the federal government should do its part to support these efforts.

During the past 3 years, I have worked with my colleagues in the Senate to help increase funding for the Individuals with Disabilities Education Act by billions of dollars. My goal, as stated in the IDEA statute, is that the federal government meet its commitment to IDEA funding by providing 40 percent of the costs of educating special education students. And this bill sends a strong signal that additional funding in FY2000 and beyond is required for IDEA grants to states.

For these reasons, I am voting in favor of final passage. However, I will carefully watch the final legislation that is produced by the conference committee on S. 280 before deciding how to cast my final vote before this bill is sent to the President.

For example, in my view it is unfortunate that the final version of this legislation could have the unintended and unnecessary effect of diverting funding from the new class size reduction program started last year. Under this program, New Mexico is slated to receive $9.6 million in FY99, which would allow schools around the state to hire more than 250 teachers.

There is no reason that the Senate cannot support this program as well as increased funding for IDEA. In fact it would have been preferable to have extended the authorization for the class size reduction program so that these efforts could continue into the future. I am concerned that, by merging two viable streams of funding into what is in effect just one source, the overall amount of funds awarded for education may not increase as much as is needed.

Because of these concerns I voted against several amendments to S. 280 that would make schools decide between the special needs of disabled students and the clear imperative to lower class size in the early grades. Ideally, there would be two strong programs that would both receive the funding they deserve.

I am also concerned that the Senate version of this legislation may not have sufficient accountability measures to go along with the expanded flexibility that is in the Ed-Flex bill. The taxpayers expect us to account for the roughly $15 billion per year that is sent to local schools, and in my view there should be stronger measures of performance and review in the final conference report.

Finally, it is extremely unfortunate that this version of the bill does not create the national dropout prevention program that I had offered as an amendment. This amendment, which passed last year by 74 to 26, would address the fact that 500,000 students drop out of school each year. There is no funded program to help lower dropout rates. And yet students in too many schools have just a 50–50 chance of graduating. Those that don't will earn less, be more likely to need public support, and more likely to get involved in crime. That affects all of us, not just the individual students.

It is my hope that some of these concerns can be addressed during the conference between the House and Senate.

The PRESIDING OFFICER. Who yields time? The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, how much time do I have.

The PRESIDING OFFICER. The Senator has 6 minutes 24 seconds.

Mr. KENNEDY. I yield myself 6 minutes, Mr. President.

Mr. President, in the last 3 or 4 weeks, we have heard our majority leader on three different occasions indicate that the most important issue we are going to address in the early part of this session was education. Over the period of the last 6 days, we have tried to debate a number of the ideas that we have on this side of the aisle, and certainly there ought to be the opportunity to debate amendments from the other side of the aisle as well.

We have tried to do that, but have been effectively closed out from that opportunity.

I would like at this time, to read a statement by Senator PATTY MURRAY, who, because of a death in the family, will be unable to be here to make this representation in the final few minutes of consideration before we go into a series of votes—the most important being the time-sensitive issue of smaller classes for grades K through 3. This is what Senator MURRAY says:

Mr. President, I want to express how deeply disappointed I am. The Senate had a tremendous opportunity to work together to make a tangible difference in our children's lives and their futures. But instead, Republicans have chosen the path of partisanship and division.

Last October, the Senate reached a bipartisan agreement to reduce class size and improve teacher quality. Republicans and Democrats worked together to reach a compromise that is sending funds to local school districts this July. We did it because we knew it was the right thing to do. That simple fact has not changed in the last 5 months.

So I am absolutely baffled about why we could not reach this agreement again. The Senate's failure to pass this amendment was irresponsible and inexcusable.

The Senate Republicans have broken their promise to teachers, to parents, and worst of all, to children in the first, second, and third grades across the country.

The Senate Republicans are hoping that this issue will just fade away, but the education of our children is far too important for me to allow that to happen. I will be back for as long as it takes to get them to recognize they cannot continue to stall. Until they take real steps to reduce the class size, Mr. President, the Republicans owe the children of this country an explanation.

This is what we heard last fall. At that time, leading Republicans in Congress hailed the class size agreement. House Majority Leader DICK ARMEY said, ''We were very pleased to receive the President's request for more teachers, especially since he offered a way to pay for them,'' effectively supporting the first year of getting smaller class sizes. Republican Congressman BILL GOODLING, Chairman of House Education Committee, declared that the Class Size Reduction Act was ''. . .a real victory for the Republican Congress but, more importantly, a huge win for local educators.'' Senator SLADE GORTON said the same thing about the Class Size Reduction Act, representing the Republicans in negotiation on education, ''On education, there s been a genuine meeting of the minds involving the President and the Democrats and Republicans here in Congress. . . .''

Now before the Senate we have the amendment of the Senator from Washington, to fulfill that commitment—which Republicans were taking credit for 5 months ago—and we are being denied this opportunity.

We will have a chance this afternoon to vote on it. This is the time, today is the day, where the U.S. Senate can go on record for smaller class sizes in grades K–3. Today—today is the day to do it.

I say to my good friend from New Hampshire, all of us are very concerned about our nation's children. We, on this side, do not yield that there is anyone who is more concerned about those needy children in our local communities. The fact of the matter is that his battle is not with us—it is with the Republican leadership that supported this program 5 months ago.

Special ed educators all over this country are supporting the Murray amendment. Why? Because they think you can serve special needs children in many different ways, not just in targeting money for a particular funding program, but in smaller classes. We put that in the record. So we reject this idea that we are pitting one group of children against another, which effectively is what the Republican amendments are doing.

Mr. President, today in just 8 minutes we will start a series of votes. They are on amendments that can make a major difference in student achievement. They are supported by parents, local school boards, principals, and teachers all across this Nation for smaller class size, expanding after-school programs, reducing drop out rates, and ending social promotion. We have a chance on the floor of the U.S. Senate, to take votes and declare that we want action in those areas. That is what we are trying to do. We have been trying to do it for 6 days and have been denied that through parliamentary mechanisms of our Republican friends.

I hope those Americans who care so deeply about those issues know how important it is to the children of this country. It is intuitive. Every parent knows if you have a child in a smaller class the child is going to do better. We have an opportunity to do something about that and I hope this afternoon we will have a strong vote in support of the Murray amendment—the children in this country deserve it.

I reserve the remainder of my time.

Mr. JEFFORDS. Mr. President, I yield 2 minutes to the Senator from Tennessee, the sponsor of the bill.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, it is an exciting day because education in the United States is off to a fresh start. The underlying bill, which I am hopeful and confident will be passed later today, does something that previous bills out of this body did not do, and that is cut redtape. It combines flexibility and allows local innovation, local creativity to emerge, with strong accountability built in to give our students—and that is the purpose—to give our students the best chance to receive a solid and a strong education to prepare them for the millennium which is just around the corner.

Ed-Flex is not a panacea. We have been very careful, as sponsors of this bill, to point out it is not a panacea to our Nation's educational systems' woes, but it is a strong bipartisan, bicameral first step. It is a first step to unshackle the hands of our teachers, to unshackle the hands of our administrators, of our principals—all who are working hard every day to educate our children. You look around at the success of Ed-Flex, whether it is just around the corner in Phelps Luck School in Maryland where waiver authority was granted to reduce class size, or in Kansas where Ed-Flex has made it possible to implement all-day kindergarten, or in many of the States that have access to Ed-Flex now to reduce paperwork. After today, coupled with the passage in the House of Representatives just a few hours ago, and ultimately to be signed by the President, we can give these opportunities to all States, to all children, to all schools in this country.

I am proud to have been an original author and original sponsor of this particular bill. I am very appreciative of the manager and his conduct of the floor proceedings over the last several days, and I especially want to thank the Governors with whom I have worked very closely over the last several weeks to accomplish passage of this bill. I yield the floor.

Mr. JEFFORDS. Mr. President, I yield to the Senator from Maine 2 minutes.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank the chairman and again commend Senator FRIST, chief sponsor of this legislation, and the chairman of the committee. I am pleased to join with them in this effort.

Mr. President, the question before us is simple. This is not a question of who is for better schools; this is not a question of who is for putting more Federal resources in education; because both Democrats and Republicans alike share those two goals. The question before us is whom do you trust to make education decisions? Should education decisions be decided in Washington? Should every Federal dollar be attached to a string? Or should we trust the people at the local level—our school board members, our teachers, our parents, to make the best decisions for the students in local schools? To me, the answer is clear. We should increase the Federal commitment to education, but empower local school boards, teachers and parents to make the best decisions in keeping with the needs of their communities. That is the question before us.

The second question before us is, Is the Government, is Congress, going to keep its promise with regard to funding special education? I say the answer to that should be yes. Let's keep the promise that was made more than 20 years ago when Congress passed the legislation mandating special ed. Let's keep our promise. Let's fully fund that important program before creating a whole lot of new categorical grant programs with strings attached. That is the debate.

Everyone here is for better schools, better teachers, but that is not the issue.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 1 minute 50 seconds.

Mr. JEFFORDS. I yield the remainder of my time to myself.

I have noticed over the years with my good friend from Massachusetts, that the weaker his arguments, the louder the volume. He exceeded all my expectations today.

My Democratic friends have a number of amendments that will be coming up for votes shortly. As I have pointed out this week, we will be considering the reauthorization of the Elementary and Secondary Education Act this Congress. The Committee on Health, Education, Labor, and Pensions has already held several hearings on the ESEA, and many more are in the works. I will oppose all amendments that are relevant to the Elementary and Secondary Education Act. I will do this, not because I am callous to these issues, in fact, I ve championed them, but because these amendments should be discussed in the normal committee process. I will, however, support amendments that are designed to let local educators direct more money to special education. The reauthorization of special ed occurred last year, and it is open to have more money. The amendment I introduced on behalf of Senator LOTT and others will provide local communities with a choice regarding how much they will use their share of the $1.2 billion included in last year's omnibus appropriations bill for education.

Under our amendments, a school system may use the funds either to hire teachers or to support activities under the Individuals with Disabilities Education Act. What fairer system can you have under the circumstances? That is all we are doing. We are saying give them an option, give the locals an option: More teachers or more money for special ed. Our amendment will permit local school officials themselves to decide whether they need more money to educate children with disabilities or whether they need funds to hire more teachers.

In Vermont, I am betting the funds will be used for IDEA. Time and again, Vermonters have made clear to me that special education funding is far and away the most pressing need of our communities. And time and again, Vermonters have pressed me to find out whether the Federal Government will honor its promise to pay 40 percent of the costs of special education. We are fortunate in Vermont to have already achieved the small class sizes which the President is trying to promote with his teacher hiring program. We do not need more. We need more money for special ed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts has 24 seconds.

Mr. KENNEDY. Mr. President, I yield back the remainder of my time.

Mr. JEFFORDS. Mr. President, I ask for the yeas and nays on the concurrent resolution.

Mr. KENNEDY. Is it appropriate or is it in order to ask for the yeas and nays on all of the amendments this afternoon? I ask unanimous consent that it be in order to ask for the yeas and nays.

The PRESIDING OFFICER. Is there an objection to the Senator's request? Without objection, it is so ordered.

Mr. KENNEDY. I ask for the yeas and nays, Mr. President.

The PRESIDING OFFICER. Is there a sufficient second on the amendments en bloc?

There appears to be a sufficient second.

The yeas and nays were ordered en bloc.

CONGRESSIONAL OPPOSITION TO THE UNILATERAL DECLARATION OF A PALESTINIAN STATE

The PRESIDING OFFICER. Under the previous order, the Senate will now vote on Senate Concurrent Resolution 5.

The clerk will report the concurrent resolution.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 5) expressing congressional opposition to the unilateral declaration of a Palestinian state and urging the President to assert clearly United States opposition to such a unilateral declaration of statehood.

The Senate continued with the consideration of the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution. On this question, the yeas and nays were ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from Washington (Mrs. MURRAY) is absent because of a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 38 Leg.]

YEAS—98

Abraham	Conrad	Gregg
Akaka	Coverdell	Hagel
Allard	Craig	Harkin
Ashcroft	Crapo	Hatch
Baucus	Daschle	Helms
Bayh	DeWine	Hollings
Bennett	Dodd	Hutchinson
Biden	Domenici	Hutchison
Bingaman	Dorgan	Inhofe
Bond	Durbin	Inouye
Boxer	Edwards	Jeffords
Breaux	Enzi	Johnson
Brownback	Feingold	Kennedy
Bryan	Feinstein	Kerrey
Bunning	Fitzgerald	Kerry
Burns	Frist	Kohl
Campbell	Gorton	Kyl
Chafee	Graham	Landrieu
Cleland	Gramm	Lautenberg
Cochran	Grams	Leahy
Collins	Grassley	Levin
Lieberman	Reid	Snowe
Lincoln	Robb	Specter
Lott	Roberts	Stevens
Lugar	Rockefeller	Thomas
Mack	Roth	Thompson
McCain	Santorum	Thurmond
McConnell	Sarbanes	Torricelli
Mikulski	Schumer	Voinovich
Moynihan	Sessions	Warner
Murkowski	Shelby	Wellstone
Nickles	Smith (NH)	Wyden
Reed	Smith (OR)	

NAYS—1

Byrd

NOT VOTING—1

Murray

The concurrent resolution (S. Con. Res. 5) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, is as follows:

S. CON. RES. 5

Whereas at the heart of the Oslo peace process lies the basic, irrevocable commitment made by Palestinian Chairman Yasir Arafat that, in his words, ''all outstanding issues relating to permanent status will be resolved through negotiations'';

Whereas resolving the political status of the territory controlled by the Palestinian Authority while ensuring Israel's security is one of the central issues of the Israeli-Palestinian conflict;

Whereas a declaration of statehood by the Palestinians outside the framework of negotiations would, therefore, constitute a most fundamental violation of the Oslo process;

Whereas Yasir Arafat and other Palestinian leaders have repeatedly threatened to declare unilaterally the establishment of a Palestinian state;

Whereas the unilateral declaration of a Palestinian state would introduce a dramatically destabilizing element into the Middle East, risking Israeli countermeasures, a quick descent into violence, and an end to the entire peace process; and

Whereas in light of continuing statements by Palestinian leaders, United States opposition to any unilateral Palestinian declaration of statehood should be made clear and unambiguous: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) the final political status of the territory controlled by the Palestinian Authority can only be determined through negotiations and agreement between Israel and the Palestinian Authority;

(2) any attempt to establish Palestinian statehood outside the negotiating process will invoke the strongest congressional opposition; and

(3) the President should unequivocally assert United States opposition to the unilateral declaration of a Palestinian State, making clear that such a declaration would be a grievous violation of the Oslo accords and that a declared state would not be recognized by the United States.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

The Senate continued with consideration of the bill.

AMENDMENT NO. 60

The PRESIDING OFFICER. The question is on amendment No. 60 offered by Senator JEFFORDS for the majority leader. There is 5 minutes of debate equally divided. Who yields time?

Mr. JEFFORDS. It is my understanding the yeas and nays have already