

four children were enrolled in a storefront Montessori school when they were just out of diapers.

On the Federal level, the Governors understand how important this program is. In 1998, some 42 Governors chose to highlight early childhood development as a major portion of their State agendas. With this amendment, we will make the Federal Government become a more effective partner with State governments. It will kick start the local and State agencies to better coordinate and collaborate so we can maximize all the resources that are available in the community.

More important, this will give us the opportunity to take the God-given qualities of our most important resource in this country—our children—and provide them the environment they need to fully develop during their most crucial period in life.

Finally—and again I underscore for my colleagues—this is not a new entitlement. It is my hope that my colleagues on the Labor-HHS Appropriations Subcommittee will reprioritize some of the funds we currently spend on education and other health and social services toward early childhood development.

To track what happens with these Federal funds, the amendment requires that States report back on what they have been able to accomplish, ensuring there is accountability for these resources.

This amendment is about our children's future. It is about our country's future. I hope my colleagues will support this amendment on a bipartisan basis. Of all of the things we can do for children in this country, the most important thing we can do is impact on them during this most important period in their life, and what we do during this period in a child's life, in my opinion, is going to be the best investment we can make in our children. All the research shows that for every dollar we invest during a child's earliest years, we save \$4 and \$5 later on in their lives.

I thank the Chair.

Mr. HATCH. Mr. President, yesterday Senator KENNEDY asked me about the source of one of the statistics I quote during the debate on S. 2. I am pleased to provide the Senator from Massachusetts with the source for my statistics.

During the 105th Congress, the House Subcommittee on Oversight and Investigation of the Committee on Education and the Workforce prepared an excellent report, entitled, "Education at a Crossroads: What Works and What's Wasted in Education Today." I am pleased to share an excerpt from it with my colleagues. This report concludes that:

One of the main problems with delivering federal education aid to states and communities through such a vast array of programs is the added cost of paperwork and personnel necessary to apply for an keep track of the operations of each of these programs. Many of the costs are hidden in the burdens placed on teachers and administrators in time and

money to complete federal forms for this multitude of overlapping federal programs.

In 1996, Governor Voinovich of Ohio noted that local schools in his state had to submit as many as 170 federal reports totaling more than 700 pages during a single year. This report also noted that more than 50 percent of the paperwork required by a local school in Ohio is a result of federal programs—this despite the fact that the federal government accounts for only 6 percent of Ohio's educational spending.

The Subcommittee has attempted to quantify the number of pages required by recipients of federal funds in order to qualify for assistance. Without fully accounting for all the attachments and supplemental submissions required with each application, the Subcommittee counted more than 20,000 pages of applications.

So how much time is spent completing this paperwork? In the recently released strategic plan of the Department of Education, the administration highlights the success of the Department in reducing paperwork burdens by an estimated 10 percent—which according to their own estimates accounts for 5.4 million man hours in FY 97. If this statistic is accurate, it would mean that the Department of Education is still requiring nearly 50 million hours worth of paperwork each year—or the equivalent of 25,000 employees working full-time. [page 15]

Mr. President, this paper chase, as I suggested yesterday, has our nation's teachers and administrators spinning their wheels on the requirements of a federal education bureaucracy instead of concentrating on teaching and meeting the needs of students. Our educational system has been taken over by a federally driven emphasis on form rather than substance.

While I commend Secretary Riley's 10 percent reduction effort, we need to go much further in order to put our education emphasis where it needs to be—in classrooms, not on process requirements. I am committed to helping reduce the amount of paperwork teachers and administrators must fill out. S. 2 goes a long way to easing this burden.

REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. SARBANES. Mr. President, this is the ninth reauthorization of the Elementary and Secondary Education Act of 1965. Regrettably, the reauthorization, as reported by Committee, is not in my view in the best interest of our Nation's children. Established as part of President Lyndon Johnson's war on poverty, the original bill offered Federal support, for the first time, to schools in low-income communities. It underscored the importance of ensuring that all American children have access to quality education.

As the time has come to again reauthorize this important legislation that provides opportunity and hope to so many citizens, the negotiations have taken a drastically partisan turn. Members of the Majority have argued that, because states have paramount responsibilities for education, the role of the Federal Government should be diminished. However, that argument

ignores our Nation's interest in ensuring an educated citizenry which is vital to the strength of our country, the continued health of our economy, and our ability to compete internationally.

On previous occasions, we have worked together to provide the Federal Government's 7 percent share of elementary and secondary education funding to the citizens of our country. We came together, despite our differences, to provide for the less fortunate in society. We came together to make progress on strengthening and improving public schools in every community, while ensuring that the Federal Government retained its mission of targeting the neediest communities.

The Congress and the President showed leadership in the last reauthorization of the Elementary and Secondary Education Act and with the passage of the GOALS 2000 legislation, which established a new benchmark in setting higher standards and moving our educational system in a new direction. Now, after years of tested programs and studies, the Majority wants to go back to the days of block grant funding to states and remove the Federal Government's ability to ensure that we have a targeted and responsible use of our citizens' tax dollars.

At a time when the Nation is enjoying remarkable economic prosperity, we should be working to increase the Federal investment in education to help states, communities, and schools meet the demands of higher standards of achievement, and address the challenges of diversity, poverty, and the lack of technology advancements in some communities. We need to do all we can to target resources to the neediest communities so that the most disadvantaged students get a good education.

During the last two years, we have been able to come together as a Congress and support the President's proposal to provide more teachers to the classrooms to lower class sizes. Over \$2.5 billion has been provided for the purpose of recruiting, hiring, and training teachers. Now the Majority would have us retreat from this critical effort to provide more qualified teachers and reduced class sizes. And it is well settled that smaller class sizes enhances student achievement. Smaller classes enable teachers to provide greater individual attention and assistance to students in need. Smaller classes enable teachers to spend more time on instruction, and less time on discipline and behavior problems. In smaller classes, teachers cover material more effectively, and are able to work with parents more effectively to enhance their children's education.

Mr. President, the Majority's centerpiece for this legislation, the so-called "Straight A's program", whether in the 50-state or the 15-state form—abandons our commitment to help the Nation's most disadvantaged children receive a good education through proven and effective programs. The bill before

us would give states a blank check for over \$12 billion—and then turns its back on holding states accountable for results.

In addition, the Majority undermines the cornerstone of our education reform by making Title I funds “portable.” Portability dilutes the impact that Title I funding has on individual public schools that serve all children. Supporters go to great lengths to avoid admitting that this funding could be used for private, religious, or for-profit services in the form of vouchers, but indeed, this is the case. Vouchers threaten to drain public schools of greatly needed public tax dollars and send the message that when public schools, which educate 90 percent of American children, do not work, they should be abandoned rather than fixed.

As we confront a world that is increasingly complex both technologically and economically, it is critical that we continue to meet the educational needs of our Nation’s young people. It is in my view imperative that we maintain strong Federal support to ensure the successful continuation of education programs serving our country’s young people. The legislation as submitted by the Majority diminishes the Federal role and does not provide accountability for education standards. This is an unfortunate departure from years of bipartisan support and movement towards higher achievement for all of our young people.

Mr. President, I have a longstanding and deep commitment to the goal of ensuring a quality education for all citizens. The bill before us would retreat from that goal by sharply reducing the Federal role in education—a role, that while narrow in scope, is critical to ensuring reform in our schools and real improvements in student performance, particularly among our neediest students and in our neediest communities.

Mrs. FEINSTEIN. Mr. President, the Senate’s consideration of elementary and secondary education policy offers us an opportunity to begin to institute some fundamental reforms of American public education.

I fervently hope that the Senate does just that. I hope we will send to the President promptly a bill that brings about real change.

In the past week, we have debated several approaches and today we will debate another.

First, let me say that federal education funding is only 6 percent of total spending for elementary and secondary education. So in terms of dollars, the federal role is small. Public education spending and policy are largely set by local and state governments and that is the way it should be.

Nevertheless, federal dollars can and should leverage other dollars and in writing legislation to revamp federal education policy, we have the opportunity to stimulate some real reforms.

Why do we need reform? The numbers tell us a sad story.

American students lag behind their international counterparts in many ways. American twelfth grade math students are outperformed by students from 21 other countries, scoring higher than students from only two countries, Cyprus and South Africa.

Three-quarters of our school children cannot compose a well-organized, coherent essay.

U.S. eighth graders score below the international average of 41 other countries in math. U.S. twelfth graders score among the lowest of 21 countries in both math and science general knowledge.

Three-quarters of employers say that recent high school graduates do not have the skills they need to succeed on the job. Forty-six percent of college professors say entering students do not have the skills to succeed in college, according to a February Public Agenda poll.

These statistics speak for themselves. Our schools are failing many of our youngsters. It is not the students’ fault. It is our fault.

We need major change.

Our changing economy, particularly in my state, poses huge challenges for public education. Our young people must be able to compete not just nationally, but in the world because the economy today is a global economy.

Here are a few examples:

Our state’s economy has moved away from manufacturing toward more higher-skilled, service and technology jobs. Since 1980, employment has increased in California by nearly 28 percent, but growth in the traditional fields, such as manufacturing, has been only six percent. Jobs in the “new economy,” fields such as services and trade, have jumped nearly 60 percent.

California employers say job applicants lack basic skills. High tech CEOs come to Washington and ask us to increase visas so they can bring in skilled employees from overseas because they cannot find qualified employees in our state.

Nationally, over the next 10 years, computer systems analyst jobs will grow by 94 percent; computer support specialists, by 102 percent; computer engineers, 108 percent. Jobs for the non-college educated are stagnating.

Our economic strength is in large part dependent on how well we prepare our youngsters. And today, sadly, we are not preparing them very well by most measures.

California’s public schools have gone from being among the best to some of the worst. California has 5.8 million students, more students in public school than 36 states have in total population! California has 30 percent of the nation’s school-age immigrant children. We have 41 percent (1.4 million) of the nation’s students with limited English proficiency.

We’ve gone from near the top rank in per pupil spending (we were 5th in the nation in 1965) to near the bottom. California ranks 46th today. In the

1960s California invested 20 percent above the national average per student in K-12 education. Today, California averages 20 percent below the national average.

We have low test scores, crowded classrooms, uncredentialed teachers, teacher shortages, growing enrollments, decrepit buildings.

Let’s look at how California’s students perform academically:

In fourth grade math, 11 percent of students score at or above proficiency levels—11 percent in fourth grade reading, 20 percent.

California ranks 32nd out of 36 states in the percent of eighth graders scoring at or above “proficient” on reading. For fourth grade readers, we rank 36 out of 39 states in reading.

California ranks 34th out of 40 states in the percent of eighth graders scoring at or above “proficient” on science.

California ranks 37th among the states in the high school graduation rate.

Forty-eight percent of freshman students enrolling in the California’s State University system need remedial math and English.

California’s students lag behind students from other states. Only about 40 to 45 percent of the state’s students score at or above the national median, on the Stanford 9 reading and math tests.

These are dismal, disappointing and disturbing statistics.

What does this mean for California’s future, when our high school graduates cannot read, write, multiply, divide or add, find China on a map, fill out an employment application or read a bus schedule? These are not abstract facts. These are real examples of the weaknesses in our education system.

The Center for the Continuing Study of the California Economy—a highly respected think tank—put it quite bluntly: “Ranking in the bottom 20 percent of all states is simply not compatible with meeting the requirements of industries which will lead California in a world economy.”

In addition to low academic performance, we have a virtual litany of other problems:

California has one of the highest student-teacher ratios in the nation, even though we are reducing class sizes in the early grades.

We will need 300,000 new teachers by 2010. Currently, 11 percent or 30,000 of our 285,000 teachers are on emergency credentials.

We’re 50th in computers per child and 43rd in schools with Internet access.

We need to add about 327 new schools over the next 3 years just to keep pace with projected growth. We need \$22 billion to build and repair schools and \$10 billion to install instructional technology, according to the National Education Association report that just came out on May 3. Two million California children go to school today in 86,000 portable classrooms.

Our Head Start programs serve only 13 percent of eligible children.

We have 40 percent of the nation's immigrants. We have 41 percent of the nation's limited English proficient students. Some of our schools have 50 languages spoken.

These challenges will be exacerbated multi-fold. California has nearly 34 million people today, with schools, and roads, and other infrastructure that were built when the population was 16 million. And our population is projected to increase to almost 50 million over the next 25 years. California's school enrollment rate between now and 2007 will be triple the national rate.

But California's education system cannot be fixed with just bricks, mortar and electrical wiring. The problems are much, much deeper than that. The bottom line is this: tinkering around the edges of a failing system is not meaningful change. Nothing short of a major restructuring will turn around our schools.

The condition of public education in California troubles me greatly because this is an area of human endeavor that is critical to the future of our state. California's public school system can be turned around. It will be painful. It will not be easy. But it can be done. And we have to start.

So the question is, what should we do. In my view, we should base our efforts on two key principles: performance and accountability.

The success of our schools must be measured, not by what we put into our classrooms, but what comes out.

There several core elements of education reform:

That basic achievement levels be set for students for every grade in all core subjects. These standards should be phased in over a period of years, and measured at key levels, such as 4th, 6th, and 10th grades.

That social promotion of students be ended. Promotion from one grade level to the next should be based on measured levels of achievement—period. Intensive intervention programs must be provided for those who fall short and who need extra help. Extra, intervention or remedial programs must accompany the end of social promotion because clearly, retention should not replace the ending of social promotion.

That standards be set to measure a school's achievement.

That class size be reduced and phased in over 10 years.

That school size be reduced. Educators tell us that elementary schools should be limited to 450 students.

That the length of both the school day and the school year be increased, thereby increasing both instructional time for students as well as instructional development time for teachers.

In most states, the school year is 180 days. In other industrialized nations, students spend more time in the classroom, and teachers have more time for instructional development each year. For example, in Korea the school year is 220 days. In Japan it is 220. In Israel it is 216, and in Great Britain, 190.

That public school choice be increased.

And that teacher training and pay be improved, to elevate teaching to a respected and competitive position. I have proposed, for example, master teachers who mentor and coach other teachers, especially those in their first year in the classroom and who get salaries commensurate with that role.

Today, I intend to vote for Senator LIEBERMAN's reform proposal because I believe it takes a fresh approach to federal education policy and will bring us "more bang" for our education bucks by linking real reforms to federal dollars.

Here is what the Lieberman amendment does. It does three things.

First, it takes almost 50 current, disparate federal education programs and consolidates them into five performance-based grants:

- educating disadvantaged children;
- improving teacher quality;
- teaching English to non-English-speaking children;
- expanding public school choice; and
- supporting high performance initiatives.

Second, the amendment increases authorized funding levels:

- educating disadvantaged children (Title I), a 50 percent increase, from \$7.9 billion to \$12 billion;

- teacher training, a 100 percent increase from \$620 million to \$1.6 billion;
- teaching English to non-English-speaking children, a 250 percent increase, from \$380 million to \$1 billion;

- public school choice, from \$145 million to \$300 million;

- high performance initiatives, a new infusion of \$2.7 billion.

Third, instead of the funds just going out the door without ever knowing any results, the Lieberman amendment requires for each of the five areas, that states demonstrate improvement. How does it do that? Accountability. The amendment has several important elements.

It requires states to have content and performance standards in at least English language arts, math and science. It requires states to define "adequate yearly progress" (AYP) and requires 90 percent of school districts to meet AYP, and within school districts, 90 percent of schools to meet AYP.

It requires school districts to identify failing schools and after two years and requires those schools to develop an improvement plan. Every school district must have a system of corrective action for failing schools.

The amendment gives states three years to implement their own accountability systems; requires states to sanction districts that do not meet their annual performance targets; cuts administrative funds if states do not meet objectives; authorizes funds to correct low-performing schools.

For Title I, each state must develop plans to ensure that all children are proficient in math and reading within

10 years. Each states must set performance goals for increasing overall academic achievement and for closing the gap between high- and low-income students, minority and non-minority students, limited English proficient children and non-LEP students.

On teachers, it requires that states have all teachers fully qualified by 2005. It preserves the class size reduction program.

For non- or limited English-speaking children, it requires states to develop standards for measuring English proficiency, to set performance goals and to require school districts to make adequate yearly progress in core academic subjects.

On public school choice, it requires states to hold charter and non-traditional schools accountable to the same content and performance standards as any other public school. It allows students in failing schools to transfer to another public school.

It requires states to have annual performance goals and a plan for holding local districts accountable. It rewards districts that meet or exceed their performance goals.

If states do not show improvement in three years, they lose administrative funding. States must also hold school districts accountable and have sanctions for low performance.

I believe that this amendment represents a comprehensive, constructive approach to real school reform.

In addition, the amendment increases authorized funding for elementary and secondary education by \$35 billion. But it doesn't just add money, it better targets funds to those truly educationally disadvantaged children, such as poor students and limited English proficient students. According to tables prepared by the Congressional Research Service, California would see increases in Title I, in teacher training, in programs for limited English proficient children and innovative high performance grants.

Some may see it as tough. Some may see it as a too different. But we have gotten to the point where we need to look at different ways. As doctors say about an antibiotic, it must be (1) targeted; (2) of sufficient duration and (3) of sufficient dose. That is what this amendment is.

By clearly linking federal dollars to results, we can begin to put in place some real steps toward improving student achievement and making public education produce real results.

My goal is not to be harsh, to "dish out" requirements, sanctions and penalties. Our schools are overwhelmed. Our teachers are overwhelmed. They are often asked to do the impossible.

But our few federal dollars—6 percent of total education spending—can and should be used to produce results.

That is what this amendment does and that is why I support it.

I want to thank Senator LIEBERMAN for including in his amendment two of my initiatives: one is on master teachers and the other is on use of Title I funds.

In Title II of the bill, the title providing funds to strengthen teacher training, Senator LIEBERMAN has added a master teacher section so that school districts can use these funds to establish master teacher programs. Under the language, a master teacher would be an experienced teacher, one who has been teaching at least five years, and who assists other (particularly new) teachers in improving their skills.

I have proposed creating master teacher programs because I believe these "senior teachers" could enhance the profession of teaching and encourage people to stay in the classroom, as well as help the newer teachers "learn the ropes." School districts could use these funds to, for example, increase teachers' salaries and that too could keep them in the classroom instead of moving to an administrative job or to private industry.

In California, teachers' salaries average \$44,585 which is \$4,000 higher than the U.S. average. But the schools cannot compete with private industry without some help. I believe starting master teachers should earn at least \$65,000 a year so that we can begin to reward excellence and dedication and keep our teachers in the classroom. These programs have proven to work in Rochester and Cincinnati and I believe other areas should be given the resources to try them too.

I am also grateful that Senator LIEBERMAN has included language I suggested to clarify and refine how Title I funds can be used. The goal of this amendment is to better focus Title I on improving students' academic achievement. Under current law, there is little direction and no restrictions on how Title I funds can be used. Under this amendment, Title I funds would have to be used for services directly related to instruction, including extending instruction beyond the normal school day and year; purchasing books and other materials; and instructional interventions to improve student achievement. Funds could not be used, for example, for paying utility bills, janitorial services, constructing facilities, and buying food and refreshments.

This amendment is needed because when my staff checked with a number of California schools, we learned that Title I funds have been used for virtually everything, from clerical assistants to payroll administration, from college counseling to coaching, from school yard duty personnel to school psychologists. Alan Bersin, Superintendent of the San Diego Public Schools, found that Title I funds have been used to pay for everything from playground supervisors and field trips to nurses and counselors.

Many of these are no doubt worthy expenditures. But we have to realize that Title I cannot do everything. With limited federal dollars, I believe we should focus those dollars on what counts—helping students learn and helping teachers teach. Activities unrelated to instruction will have to be funded from other sources.

This debate is about the future of our nation. We must ask some fundamental questions about our schools.

Seventeen years ago, the nation's attention was jolted by a report titled *A Nation at Risk*. In April 1983, the Reagan Administration's Education Secretary, Terrell Bell, told the nation that we faced a fundamental crisis in the quality of American elementary and secondary education. The report said:

Our nation is at risk. If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war.

The report cited declines in student achievement and called for strengthening graduation requirements, teacher preparation and establishing standards and accountability.

Today, we still face mediocrity in our schools. While there are always exceptions and clearly there are many excellent teachers and many outstanding schools, we can do better. To those who say we cannot afford to spend more on education, I say we cannot afford to fail our children. Our children do not choose to be illiterate or uneducated. It is our responsibility and we must face up to it.

If we have failed, it is because as a society we have become complacent and have had low expectations. So we do whatever it takes, no matter how painful, to fix a system that is not only failing our children, but hurting our children.

If we are not willing to make the commitment to provide our children a first-class education, we are failing as a society. What can be more important than giving our children a strong start, a knowledge base and a set of skills that make them happy, productive and fulfilled citizens?

I truly believe, if we expect our children to achieve, we must make it clear that we expect and support achievement in every way. That is why I support this amendment.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, I ask unanimous consent to proceed as in morning business for the next 20 minutes.

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

INTERNATIONAL PARENTAL KIDNAPPING

Mr. DEWINE. Mr. President, I have come to the floor this evening because I want to draw my colleagues' attention to a very important editorial that appeared in this morning's *Washington Post*. This editorial concerns international parental kidnapping. I also call my colleagues' attention to a feature article that appeared on the same subject in Sunday's *Washington Post*.

Both Sunday's article and today's editorial are very critical of the way the Federal Government has been han-

dling international parental abduction cases. In fact, the editorial today characterizes the Government's response to these cases as "incomprehensibly lackadaisical." I could not have said it better myself.

This is an issue that I have spoken on this floor about on several different occasions. It is a matter on which our committee has held several hearings. But despite those hearings and despite those speeches, I do not think there has been anything that has explained it in as great a detail and in as heart-breaking a way as the article that appeared in Sunday's *Washington Post*.

That story involves the heart-breaking story of Joseph Cooke, who, for the last 7 years, has been unable to retrieve his three children from a German foster home. In Mr. Cooke's case, his German-born wife had taken their three children on what was supposed to be a 3-week vacation to her homeland to visit her parents.

One day, though, during the trip, Mrs. Cooke took her children, boarded a German train, and essentially disappeared. She called her husband and only gave him a cryptic explanation as to where she was going and what she was doing with their children.

Joseph contacted his wife's parents in Germany, but they gave him little help or information. What Joseph eventually discovered was that his wife had checked into a German mental health facility and had placed their children in the care of the German Youth Authority, who, in turn, put the children in a foster family. And even though Mrs. Cooke eventually left the mental health clinic and returned to the United States, the children remained with the German foster family.

With very little information as to the whereabouts of his children, Mr. Cooke tried desperately to get his children back. But despite the fact that the children are U.S. citizens, and were living in the United States when they were taken—despite the fact that Joseph was awarded eventual custody of the children by a U.S. court, and despite the very plain terms of the Hague Convention, an international treaty setting forth a process for the timely return of children wrongly removed or retained from their home country—German courts, in spite of that, ruled that the children were to remain in Germany.

The Cooke case is a perfect example of how the Hague Convention, of which I point out Germany is a signatory, just isn't working. It isn't working because the nations that have agreed to it, including the United States, refuse to make it work.

The United States complies with the Hague Convention. When another country makes an order, the United States, in over 80 percent of the cases, complies. That is not what I am talking about. What I am talking about is we make no attempt to enforce it. It isn't working—let me repeat—because the