

He has used his remarkable clout to do what is right for Massachusetts and the Nation. And knowing JOE, having watched him and learned from him, as so many of us have, I know that in these next 2 years this courthouse will not be the only way he will be honored. The fights he will continue to wage for all that he believes, for working people, for jobs, for social and economic justice, will be the ultimate testimony to the full measure of the man whom we pause to honor today, and it will be the real measurement of those values by which JOE MOAKLEY has served.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

COMMEMORATING THE 5TH ANNIVERSARY OF THE 1996 TELECOM ACT

Mr. LOTT. Mr. President, recently we celebrated the fifth anniversary of the passage of the 1996 Telecom Act. This legislation—a comprehensive overhaul of our nation's laws governing communications—was the product of approximately ten years of hard work by many people. The intent of Congress in passing the Act was to spur competition, promote innovation, and provide new services at lower prices to consumers.

I hoped at the time that we passed the Act that it would have a tremendous impact on the economy, and my hopes were realized. Hundreds of thousands of new jobs were created in the communications sector in the first four years after passage of the Act, and this sector has been a major contributor to the nation's real economic growth since the Act's passage.

The blueprint of the 1996 Act provided industry and the markets the necessary certainty to foster and encourage investment in the telecommunications sector. This investment has occurred despite significant delays in the Act's implementation on the part of the FCC, and more disturbingly, delays related to the litigation of the Act in the courts. I am encouraged by the birth and growth of the competitive local telecommunications industry. Furthermore, I am pleased that two of the regional Bell companies satisfied the checklist required by section 271 of the Act in several states, thus indicating that these states are fully open to local competition. By opening these particular markets fully to local competition, these Bell companies are now able to offer long distance service in these states.

While I am pleased with these positive developments since the passage of the '96 Act, I believe it is time to review the '96 Act to determine whether it needs to be modified to fully achieve its purpose. While competition in many sectors of the telecommunications industry has undoubtedly increased, I believe that the Congress should consider

how to create additional incentives for increased competition in those sectors of the telecommunications industry which remain dominated by a small number of competitors.

While we have seen the new competitive companies emerging in the marketplace with a particular focus on business clients, perhaps there are measures which would make it more attractive to these new companies to aggressively pursue the market for local service to consumers' homes. Although a few states are now fully open to local competition pursuant to the '96 Act's conditions, we need to do more to make it attractive for additional markets to be opened, especially rural markets. Additional inducements may be necessary to speed the process of opening more and more states for local competition, as it appears the promise of allowing the incumbent local carriers to enter the long distance service market may not be a sufficient motivating factor in many states.

I am also concerned, however, that there are significant deficiencies in the enforcement of the '96 Act. While there were encouraging developments in the telecommunications industry resulting from the passage of the Act, I have serious concerns about the health of the new competitive local telecommunications industry and a perception that true competition for incumbent local carriers has not been achieved due to such enforcement failures. For this reason, I believe that the 107th Congress should look closely at these enforcement issues, with a view towards possible tweaks that may be necessary to ensure full implementation of the Act as it was originally envisioned.

I was a strong supporter and key sponsor of the '96 Telecom Act, and I believe that its principles remain relevant and solid. However, a bit of fine-tuning may be in order as we learn from our experiences under the first five years of the Act and look forward to a telecommunications sector which thrives under additional competition, innovation, and consumer choice in the years to come.

FLUNKING AMERICAN HISTORY

Mr. BYRD. Mr. President, every February our Nation celebrates the birth of two of our most revered presidents—George Washington, the father of our Nation, who victoriously led his ill-fitted assembly of militiamen against the armies of King George, and Abraham Lincoln, the eternal martyr of freedom, whose powerful voice and iron will shepherded a divided Nation toward a more perfect Union. Sadly, I fear that many of our Nation's school children may never fully appreciate the lives and accomplishments of these two American giants of history. They have been robbed of that appreciation—robbed by a school system that no longer stresses a knowledge of American history. In fact, study after study

has shown that many of the true meanings of our Nation's grand celebrations of patriotism—such as Memorial Day or the Fourth of July—are lost on the majority of young Americans. What a waste. What a shame.

In 1994, the National Assessment of Educational Progress assessed fourth, eighth, and twelfth-grade students' knowledge of U.S. history. The results of this study are deeply disturbing. The study divided students into three groups—advanced, proficient, and basic—based on their ability to recall, understand, analyze, and interpret U.S. history. Only 17 percent of fourth graders, 14 percent of eighth graders, and 11 percent of twelfth graders were judged to be "proficient". Over one-third of fourth and eighth graders failed to reach the "basic" level and more than half of the twelfth graders surveyed could not even achieve the "basic" category in the history of their own Nation.

The questions were not overly difficult, especially not for a twelfth grader. One question asked students to name the document that contains the basic rules used to run the Government of the United States of America. Only 27 percent selected the U.S. Constitution as the correct answer. Imagine that—27 percent! How can we ever survive as a country, if more than ¾ of our high school seniors are so ignorant about our basic charter? This deplorable record indicates that too many American children lack even the most rudimentary grounding in U.S. history.

Even more disturbing were the results of a study released last year by the American Council of Trustees and Alumni that tested the knowledge of college seniors who were on the verge of graduation. The organization gave students from fifty-five of our Nation's finest colleges and universities a typical high school-level American history exam. Nearly 80 percent—80 percent!—of these college seniors—the future leaders of our Nation—earned no better than a "D." A mere 23 percent could identify James Madison as the principal Framers of the Constitution; more than a third did not know that the Constitution established the separation of powers in American government; a scant 35 percent could correctly identify Harry S. Truman as the President in office at the start of the Korean Conflict; and just 60 percent could correctly select the fifty-year period in which the Civil War occurred—not the correct years, or even the correct decade, but the correct half-century.

These results are shameful and appalling. Not only are our grade-school students ignorant about their own history, so are our college students. Our children are being allowed to complete their formal educations without any semblance of historical context. To put it simply, young Americans do not know why they are free or what sacrifices it took to make us so.

An American student, regardless of race, religion, or gender, must know