



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 147

WASHINGTON, TUESDAY, APRIL 24, 2001

No. 52

## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island.

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

God of all nations, Father of every tribe, color and tongue of humankind, You have created us to live at peace with one another in Your family. You have revealed to us Your desire that all Your children should be free to worship You. Here in America, freedom of religion is a basic fabric of our life. Sadly, this freedom is not enjoyed in so many places in our world. We are grieved by the shocking accounts of religious persecution. Prejudice expressed in hostility and then in hatred and violence exists throughout the world. As we think of the pain and suffering inflicted on Christians because of their faith, we also are reminded of all forms of intolerance over religion in the world today. We remember the suffering of the Jews in this century. Forgive any prejudice in our own hearts and purge from us any vestige of imperious judgmentalism of people whose expression of faith in You differs from our own. We pray for tolerance in the human family. And may it begin in each of us. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable LINCOLN CHAFEE led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, April 24, 2001.

### To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

STROM THURMOND,  
President pro tempore.

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

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader.

### UNANIMOUS-CONSENT REQUEST— S. 1

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Senate begin consideration of Calendar No. 23, S. 1, the education bill.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Mr. President, reserving the right to object, I was here yesterday and again today. I am the ranking member of the Committee on Environment and Public Works. We have reported legislation out of the subcommittee—by the way, the Presiding Officer is the Chair of that subcommittee—we reported out of that subcommittee more than a month ago brownfields legislation. This is legislation that affects 500,000 sites.

I object, and I will at the appropriate time this morning talk more about what I think is so wrong about our inaction in the Senate today.

The ACTING PRESIDENT pro tempore. Objection is heard.

### MORNING BUSINESS

Mr. JEFFORDS. Mr. President, in light of the objection, I ask unanimous

consent that the Senate now be in a period for morning business until 12:30 p.m., with the first half of the time designated for the majority leader, or his designee, and the second half of the time controlled by the minority leader, or his designee.

Mr. REID. Mr. President, again reserving the right to object, at an appropriate time, I will withdraw my objection, but I again state to those assembled that it is absolutely wrong that we are going to spend all day today in morning business when we have waiting legislation that affects people in the State of Nevada. We could clean up lightly polluted areas starting this year if we simply move forward on this legislation.

I repeat, we have 500,000 sites in America today that are awaiting action of this Congress. The President of the United States said he supports brownfields legislation. Let us test him to find out if he does. I think it is absolutely wrong that we are going to spend all day in morning business.

Further, under the proposal my friend from Vermont has propounded, the first 90 minutes will be under the control of the Senator from Vermont or somebody on his side. My friend from North Dakota is here and wishes to speak this morning. Will the Senator allow the Senator from North Dakota to speak for 20 minutes? I do not see anyone here.

Mr. JEFFORDS. I have no objection so long as it is coming out of your time.

Mr. REID. Yes, of course. I ask unanimous consent, Mr. President, that I be allowed to speak for 5 minutes and that the Senator from North Dakota be allowed to speak for 20 minutes and that the time be taken out of the 90 minutes designated by the unanimous-consent request of the Senator from Vermont.

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

Mr. JEFFORDS. Mr. President, I further ask unanimous consent that at

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



Printed on recycled paper.

S3797

2:15 p.m. the Senate resume morning business until 5:15 p.m., with Senators speaking for up to 10 minutes each and the time be equally divided in the usual form.

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

#### SCHEDULE

Mr. JEFFORDS. Mr. President, for the information of all Senators, negotiations are continuing on the education bill. It was hoped that negotiations could be completed this morning with the understanding there would be amendments offered to the legislation. However, the time between 2:15 p.m. and 5:15 p.m. is expected to be used for the initial discussion of the education legislation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

#### BROWNFIELDS

Mr. REID. Mr. President, this brownfields legislation is important. It provides three important steps to directly spur cleanup and reuse of these abandoned and contaminated sites.

No. 1, it provides critically needed money to assess and clean up abandoned and underutilized sites which will create jobs and increase tax revenues and preserve great parks and open space. It is estimated this legislation will bring tax revenues to local governments of up to \$2.4 billion.

No. 2, it encourages cleanup and redevelopment by providing legal protections for innocent parties, such as contiguous property owners, prospective purchasers, and innocent landowners.

Under the present state of the law, these places are left abandoned because people are afraid if they purchase these properties or lease them, they will be subject to Superfund liability. This legislation negates all that.

No. 3, it further provides for funding and enhancement of State cleanup programs and a balance between providing "certainty" for developers and others but still ensuring protection of public health.

We reported this bill out of committee by a vote of 15-3. A couple of Senators had some problems. We worked literally day and night on a staff level to resolve those problems. For example, the Senator from Ohio had some suggestions. I told him at the committee that we would work with him, and we have. We have satisfied Senator VOINOVICH's problems with this legislation.

We need to do this. The reason I am so frustrated is that yesterday we did nothing, and today we are going to stand around and be in morning business. There is no reason we cannot do this. We have agreed on this side to 2 hours of debate evenly divided. I do not know why in the world we cannot move forward with this legislation. It is extremely important.

I believe President Bush is a good person, and I believe he means well and wants to do the right thing. He stated during the campaign that he supports brownfields legislation.

His environmental record has been abysmal this first 100 days. Why doesn't he lend his prestigious efforts to this legislation that he says he supports?

I cannot understand why we do not move forward with this legislation. This legislation is important. It is important to the State of Nevada. It is important to every State in the Union.

As we all know, this issue has wide support from groups including environmentalists, the Mayors' Association, businesses, the real estate community. This bill is a meeting of minds from all sectors of American society and from both sides of the aisle.

S. 350 is a model of how an evenly divided committee can work together. I urge the Republican leadership in the Senate to show this Senate can recognize good legislation when it sees it and prove to Americans a 50/50 Senate can be productive and we can enact good laws.

I urge my friend, the junior Senator from Mississippi, the majority leader, to allow us to debate this bill and move forward on it. We will do it with a short agreement. We agreed to 2 hours.

This bill will pass overwhelmingly. Work done by the Presiding Officer and the Senator from California has been exemplary, and the work the full committee did is excellent. I urge my colleagues to work toward moving this forward. Hard work has been done. The cooperation of the Republicans and Democrats on the committee was noticeable. It is a shame at this time we don't move forward with this legislation.

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

#### THE TRADE DEFICIT

Mr. DORGAN. Mr. President, last week we were all witnesses to headlines in the newspapers about a meeting held in Quebec City, Canada. The newspaper headlines talked about tear gas, chain link fences, police lines, demonstrators, 30,000 people marching down streets. It also discussed anarchists.

What is this all about, 30,000 people demonstrating in the streets of a major city in our hemisphere? It is about international trade. The same sort of thing happened in Seattle a year and a half ago. The future WTO ministerial meeting will be held not in a major city but in a place called Qatar. Why? Because no city wanted to host it, as I understand it. They will have to even bring in cruise ships for hotel rooms. They feel if the ministers of trade from around the world can hold a meeting in an isolated place, no one will show up to protest their closed door meeting.

Last week's demonstrations in Quebec City underscored again that world

leaders are not going to hold trade talks without attention being paid to the issues concerns of the people and the problems related to global trade. It is not that global trade ought to be stopped. It is that global trade has marched relentlessly forward without the rules of trade keeping pace. There is a relentless accelerated march toward globalization. However our world leaders have not develop acceptable rules, so people demonstrate in the streets.

I want to make two points this morning: One, trade is very positive for our country when it occurs in circumstances where it is fair. It makes sense for us to do that which we do best and trade with others who in their comparative advantage are doing what they do best. That makes sense on the world stage. Our country has been a leader in world trade, a leader in expanded trade, and it does make sense to expand our trade opportunities as long as doing so represents the values that this country considers important in the development of our economy and in the development of our international relationships.

It is also the case that while all say that expanded trade is good for this country, it is also the case that we ought not allow the international corporations in this world to pole vault over all the issues that relate to labor, the environment and of production simply by saying: We are going to produce in Sri Lanka, Indonesia, Bangladesh, or China, and we will ship back into the United States. So what if they hire 12-year-olds and pay them 12 cents an hour, working them 12 hours a day. So what. They would like us to think that is fair trade.

It is not fair trade. That is why people are marching in the streets. It is not fair trade when corporations are able to become international citizens and decide to circle the globe in their airplanes and evaluate where they can produce the cheapest, where they can employ kids, where they can dump pollution in the water and the air, where they can have factories without the barriers and problems of making them safe and produce there, create a cheap product and send it to a department store in Pittsburgh or Los Angeles, or Butte, MT.

The question is, Is it fair trade when that happens? This country has fought for a century over these issues. All of those fights were agonizing. Many occurred in this Chamber. The fight about whether we ought to be able to employ children, so we have child labor laws saying we don't want you to send 12-year-olds into coal mines. We don't want 12- and 14-year-olds put on a factory floor to work 12 hours a day. We have child labor laws.

The question of safe workplace, demanding that those who employ people employ them in safe workplaces that are not going to pose risks to the life and safety of workers. We have fought, and made laws to protect our people.

The issue of fair compensation, we have fought for a long while in this country about that issue. We have collective bargaining and the ability of employees to form and join unions. We have minimum wages. We fought about that and continue to fight about that from time to time in this country, but we have settled part of it. Now, some say that doesn't matter; we can go elsewhere. We can produce elsewhere, where people can't join a labor union, they are illegal. We can produce where we can hire a 12-year-old child and pay 16 cents an hour, and we can make a pair of shoes that has an hour and a quarter direct labor, with 20 cents labor costs in a pair of shoes, and ship that to New York City for a department store shelf because we are saying to the American consumer, this is better for you because it is cheaper for you.

So people demonstrate in the streets because they say that is not fair trade. That is not what we mean by expanding the opportunities of trade.

We have had some experience in this country recently with our trade issues and that is not a pleasant experience. This chart shows what has happened to this country's trade deficit. There has been a great deal of good news on the issue of deficits in this country. The fiscal policy and the budget deficits have diminished year after year, and we now have surpluses. Look what has happened to the trade deficits of this country.

In 1993, we had merchandise trade deficits of \$132 billion. It is now \$449 billion and growing. This trade deficit is mushrooming. If there are people who think it doesn't matter, think again. This is like the runup of dot com companies in the stock market. Everybody thought NASDAQ would continue to increase forever. These values are perfectly understandable. We had people on Wall Street who made a lot of money that were justifying and explaining why the values made sense.

They didn't make sense. This doesn't make sense. This ballooning, mushrooming trade deficit will cause serious problems to this country unless it is addressed. This country must repay these trade deficits. With a budget deficit, you can make the case that it is a deficit, you owe it to yourself. You cannot do that with trade deficits. This is a deficit we owe to others.

Inevitably, they are repaid with a lower standard of living in this country. That is an action in economics that no one disputes. This is a very serious growing, abiding problem.

With whom are our trade deficits? Our trade deficits are with Canada. We passed a U.S.-Canada trade agreement. We had a reasonably small trade deficit with Canada. We quickly doubled it, very quickly doubled our trade deficit with Canada. What an incompetent trade agreement. We ought to haul those negotiators to the well of the Senate to explain to us what they did in public and in secret to undercut this

country's interests in the U.S.-Canada agreement. I could talk about some of those issues, but I don't have time today.

China, the China trade deficit, the trade deficit we now have with China is an \$83 billion merchandise trade deficit, and growing rapidly; the European Union, \$55 billion trade deficit, and growing; Japan, \$81 billion trade deficit, and growing. And we have had a trade deficit with Japan of \$50 billion a year plus now for a long time.

Mexico, by the way, prior to the U.S.-Canada and Mexico trade agreement, something called NAFTA, North American Free Trade Agreement, we had a surplus trade balance with Mexico. We had a surplus. It is now nearly a \$25 billion deficit. Talk about colossal incompetence. The trade agreements we have negotiated in recent years have undercut this country's interests in fair trade. In every set of circumstance, our country bows to trade agreements that undercut our workers and our producers all in the name of free trade.

Quebec City hosted a big meeting last week. The President went to Quebec City and talked about the desire for expanded trade agreements. He said Congress must give him what is called trade promotion authority. That is just new language for fast track. What the President is saying is: I want fast-track trade authority.

To the extent I have the capability of involving myself in this, I will say to the President: You are not going to get fast-track trade authority. We wouldn't give it to President Clinton, and we won't give it to you. Your first job is not to create new trade agreements when every agreement in recent years has undercut this country's interests and resulted in larger and larger trade deficits. Your first job is to fix the problems that have been created in the last decade and a half. Fix these problems, then come to us. Then we can talk about trade promotion authority.

Do you want to hear some problems? We have a huge, growing trade deficit with Japan. Do you know what the tariff is on a T-bone steak we send to Tokyo, American beef sent to Japan? There is nearly a 40-percent tariff on every single pound of American beef sent to Japan—40 percent. That would be declared a huge problem if the United States imposed a 40-percent tariff, but we will allow our allies to do that, our trading partners. Why? Because we are poor negotiators and we do not have backbone and we do not have the nerve and we do not have the will to stand up for this country's economic interests. So T-bones to Tokyo are just a small example, just one small example.

How about going from T-bones to apples? Try sending apples to Japan. Do you know what Japan will tell apple growers in this country? They say the apples that are shipped in Japan must be shipped from trees in the United States that are separated by at least

500 meters from the other trees in the orchard. Does it sound goofy to you? It does to me. How do they get by with it? They get by with it because we negotiate incompetent agreements, incompetent bilateral agreements with these countries.

China? Well, China has a huge and growing trade surplus with us—or we a deficit with them. They ship us their trousers and their shirts and their shoes and their trinkets—they flood our country with their goods. But try to get American wheat into China these days. Ask what China is buying from the United States. See whether our trade agreement with China is fair.

Let me just give one example. We just sent negotiators to negotiate with China. When they finished—I will just talk about automobiles for a moment. China has 1.1 billion people. When our negotiators finished, just a year and a half ago, negotiating a bilateral agreement with China, here is what they said: China, it is all right for you, after a rather lengthy phase-in, to impose a 25-percent tariff on any automobiles the United States sends into China. And, by the way, for our part, we will impose a 2.5-percent tariff on any automobiles China would send to the United States.

We sent negotiators to sit down with the Chinese to negotiate a bilateral agreement and said what we will agree to, with a country with 1.3 billion people that is going to need a lot of automobiles in the future, we will agree you can impose a 10-times higher tariff on automobiles that we would send to China versus the automobiles they might send to the United States.

I would like to find the people who agreed to that on behalf of this country and ask them how do they justify their public service by such incompetence. It makes no sense to me that we engage with other countries on trade and are not hard-nosed and strong negotiators, saying we are all for trade so let's have reciprocal trade policies: We must say you treat us like we treat you, we treat you like you treat us. Let's treat each other fairly.

But that is not the way our trade negotiators see it. Every single time they get involved in a negotiation, our farmer, ranchers, and small businesses lose. I talked about having our trade negotiators wear jerseys as they do in the Olympics. At least they could look down and see the initials on the jerseys and see for whom they are working.

What is happening with trade with China, Canada, EU, Japan, and Mexico? There is now a merchandise trade deficit of over \$450 billion a year, a deficit every single day of goods going into our country that exceeds goods going out, and this \$450 billion in accumulated merchandise deficits is part of our account that has to be settled at some point, and it will weaken this country's economic strength when we do it.

The question for this administration—and I have asked exactly the

same question with the previous administrations—is: Are you going to stand up for this country's economic interests? President Bush went to Canada. He said at the outset that we have to recognize the issues of labor and the environment in trade agreements. Then later in the week he said: Trade agreements must be commercial—commercial interests, and, by the way, what I want is trade promotion authority—which, as I said, is a new term for fast track.

For those who do not know what fast-track authority is, it means our negotiators shall go negotiate an agreement with another country, bring it back as a treaty to this Senate, and the provisions under fast track would be we can debate it but cannot amend it; no Senator has the right to offer any amendments at any time under any circumstances.

It is fundamentally undemocratic. Had we had the opportunity to offer amendments to NAFTA, we would not be in this situation with Mexico and Canada, just as an example, with respect to our current trade agreement with our neighbors.

The big study on Mexico and Canada was by Hufbauer and Schott study, which everybody used. The Chamber of Commerce and all our colleagues used it. They said if we do this trade agreement, we will have 350,000 new jobs in this country. And they said here are the imports and exports between the United States and Mexico that we expect after this agreement.

It turns out they said the principal imports from Mexico would be imports of largely unskilled labor. What are the three largest imports from Mexico? The three largest imports are automobiles, automobile parts, and electronics, all of which come from skilled labor, all of which mean the Hufbauer and Schott study missed its mark. We didn't gain jobs, we lost jobs with that trade agreement and turned a surplus into a fairly large trade deficit.

Who is going to be called to account for that? Nobody. Because that is exactly what the international companies wanted. They do not get up in the morning and say the Pledge of Allegiance. They are international entrepreneurs, and they are interested in producing anywhere in the world where they can find the fewest impediments to production and the cheapest place to produce. They don't want to have to worry about the child labor laws, pollution and the standards that countries impose in preventing companies from dumping into the air and water. They don't want to have to worry about worker safety. They don't want to have to worry about fair compensation. They had those fights and lost them in this country, and now they want to go elsewhere and say: We want to be able to ignore that.

The people in the streets are saying: Wait a second, there needs to be some basic set of standards. What does it mean when someone ships carpets to

this country and the carpets are made by kids, 10- and 12-year-old kids, some of whom have had gunpowder put on their fingertips to have them burned off so they have permanent scarring, so 10- and 12-year-old kids can make carpets and run needles through the carpets, and when they stick the top of their fingers, it doesn't hurt them because they have already been scarred by burning.

That is part of the testimony before Congress about child labor. It is happening in this world. Is it fair trade for those carpets to come into our country and be on our store shelves? Would anybody be proud to buy from countries where the circumstances of production are represented by that kind of behavior? The answer is no.

What I want to say today is very simple. The example in Quebec City last week is an example that is going to continue. I do not support the anarchists and others who show up for those events to cause trouble, but I understand why protesters come to those events, peaceful protesters—and most of the 30,000 people who showed up were peaceful. I believe we should expand trade. I believe expanded trade is important for this country. But I also believe this country ought to be a world leader, promoting and standing up for the values for which we fought for over a century to protect. Those are the values of dealing thoughtfully with the rules of production dealing with the hiring of children, with safe workplaces, dealing with the environment and controlling the emission of pollutants.

If this is, indeed, a global economy and if it matters little where people are producing, then you have to have some assurance, if they are going to close a plant in Toledo or Fargo and move to Guangzhou, they are not going to be able to do that because in Guangzhou they can hire kids and pollute the water and air and not have a safe workplace and produce a cheaper product and represent to the people of the world: We have done it all for you. That is not doing anybody a favor. That is a retreat from the standards for which we fought for a century in this country.

People will demonstrate in the streets on trade issues because they want the rules to keep pace with the relentless march of globalization. I want globalization to continue, but I want it done under rules that are fair. Coming from a small State in the northern part of this country, North Dakota, that borders a friendly nation, Canada, I know full well what happens when we are sold out and undercut by our trade negotiators. It happened to us with the trade negotiations with Canada. We sent a trade ambassador to Canada. They negotiated a trade agreement, and they essentially said to family farmers: Your interests are unimportant to us, so we will sell those interests out in order to get concessions for other industries. And we have fam-

ily farmers going broke in my State because we have an avalanche of unfairly traded durum wheat coming into this country. We produce 80 percent of that in the State of North Dakota. Durum wheat is used to produce semolina flour which makes pasta, so most everyone has eaten semolina which comes from the fields of North Dakota in the form of our pasta. But durum growers were severely undercut. Their interests were severely undercut by our former trade ambassador who not only made a bad agreement but then made a private side deal that he didn't disclose to Congress, and he pulled it right out from under our producers. That is not fair.

Neither is it fair that we will negotiate with a country such as Canada that has a monopoly state trading enterprise and that sells their wheat on what is called the Canadian Wheat Board, which would be illegal in this country. They say: We will have a trade arrangement under which we will sell in the U.S. market at practically secret prices and refuse to disclose it to anyone. It is fundamentally unfair trade.

We sent people to Canada to say we want to evaluate the prices at which you sell to determine whether you are dumping in the American marketplace. They thumb their noses, saying: We don't intend to show you one piece of paper about what we are doing in United States.

To allow that to happen is unfair. It is unfair to farmers, it is unfair to producers, and it is unfair to workers. On a broader level, it is unfair to corporations that are doing business in this country and producing for our marketplace.

I hope it is not lost on this administration—I have said the same thing to previous administrations—that they should not hold trade agreements or trade negotiations, or trade conferences for that matter, in cities around the world without, in my judgment, opening the discussion for a lot of people who want to raise questions about what the fair rules are for international trade. Globalization will continue, and should. But it must be attended by rules of fair trade, and people ought to understand that and know that.

Second, finally, when we negotiate trade agreements, we ought not to be afraid to stand up for this country's economic interests. It is about time to be a bit hard nosed, and have a backbone that serves to stand up for this country's interests.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

EDUCATIONAL OPPORTUNITIES  
ACT

Mr. THOMAS. Mr. President, we are, of course, poised this week to take on one of the most important issues we will face during this year. That is the issue of education.

As we talk about issues over the country and as we take polls, education is the first issue the American people are interested in, and very understandably so. Certainly there is nothing more important to us than education. I think nothing is more important than the future of our country with respect to the training of our children who obviously will be the leaders of the country. I am looking forward to that. I think certainly there are many things that can be done and that Congress can do.

Clearly, in my view, the principal responsibility for public education lies with the States, with the communities, and the decisions that are made with respect to the schools ought to be made primarily based on the needs of those schools as defined by the local leadership.

The role of the Federal Government then is one that is always debated in the Senate, and properly so. It is one on which there are different views as to what the role of the Federal Government is and should be. The amount of financial contribution made to the elementary and secondary schools is approximately 6 percent to 7 percent of the total cost. It is relatively small, but it is very important. Often it is oriented specifically to special education—to a particular need, and so on. That is good. We will, hopefully, have a bill before us that will provide for some commonsense education and a reform plan that will help all children attain their potential so they can be successful.

In increasing the accountability for student performance, money is obviously the key factor. Money alone, however, is not enough. Money just doesn't do it unless there is some other accountability there so we can measure performance. We need to support the programs that work and take a look at those that do not work. Obviously, there are some of each.

I think we need to reduce the bureaucracy so that officials in Washington are not deciding what we ought to do in Sundance, WY, or Philadelphia. The people in other parts of the country ought to have the opportunity.

We need to empower parents to be able to make decisions with respect to their own children's future. Part of what we will be talking about in consideration of the bill will be to hold schools accountable with annual reading and math assessments and annual testing that gives parents the information they need to be able to determine whether or not their children are learning.

Testing is somewhat controversial, particularly national testing. I hope we can give the States as much flexibility

as possible as to how they do that. On the other hand, with the kind of movement we have among children as they get out of school and go to other places, we need to ensure that as they are trained in Colorado, they are prepared to work in California; that their educational background will give them the ability to do that.

Testing gives educators the information they need to know what works, to see what is working in classroom and to improve skills and improve teaching effectively. That is part of what we will be doing. Federal dollars should not follow failure. We need to ensure that the programs that are funded by Federal dollars are programs that are useful and programs that are producing results. I think we need to make sure we support the programs that are effective and that are research-based programs. Schools need to be held accountable, of course. School boards need to do a lot of that. Parents need to do a great deal of that.

We need flexibility, of course. As I mentioned, school districts are quite different. They need to know that school districts are different. It is really not appropriate to send dollars, saying they have to be used to reduce the size of the class when in fact the size of the class is not the issue; computers are the issue or the building is the issue or teacher training is the issue. We need to do that.

Parents need to be empowered, of course, to be able to determine the quality of education the children are receiving so they can make some decisions. I think there has to be clear accountability. In many cases, I think the idea that you can have some choice among public schools is the way parents can have some accountability as well. In my hometown of Casper, WY, we have a number of charter schools—schools that are different from public schools—so that children have a chance to go to different places and do different things.

We will be talking about the Educational Opportunities Act. We will try to respond to the declining student performance we all hear about in our public schools. We need to change what is going on if our purpose is to have higher performance. The Educational Opportunities Act is designed to support learning efforts in all 50 States and helping local leaders determine what those programs need to have.

Also, we will be talking about how to help disadvantaged children meet the high standards and providing schools and teachers with greater decision-making authority to make the changes that will result in better performance and schools more responsive to the needs. For any school that fails to help its students over a period of time and make adequate progress, perhaps there can be an opportunity either for that school to be restructured or, indeed, in many instances for the parents to have an opportunity to send their kids to other public schools.

I don't think in the beginning that the proposal will have the voucher aspect of it, even though that is very controversial. But we can have the charter idea, and we can have the notion that people can choose.

There is nothing more important in education than the teacher. Give them a better opportunity for training. Alternative certification may be helpful to continuing learning opportunities. Teacher empowerment will be one of the programs.

We will have enrichment initiatives where there can be different programs designed for the 21st century learning centers, where you can have special kinds of schools and special kinds of programs happening for kids. There is also the gifted and talented program, the advanced placement program, and help for neglected, delinquent, and at-risk students. There are all kinds of programs that are necessary.

Obviously, safe and drug-free schools is something we want. We used to think about the problem of talking out loud or chewing gum in schools, and so on, as problems in school. Now problems are much more serious than that. There are drug problems, shooting problems, and other kinds of safety problems. So we are going to address that issue.

There is a title on educational opportunity initiatives where we can help children with the establishment of charter schools. More of that will be done. It is pretty much a local initiative.

We can help students across the digital divide so they are computer literate in the eighth grade and ready to do the things that now need to be done to be successful in the private sector.

There is bilingual education and educational enhancement. I think there needs to be some focus on students who speak limited English so that they have a better chance to succeed when they go out into the world. Obviously, the students will want to maintain their own choice of language, and that is great. But if they are going to be successful in this country, they have to be competent in English. I think that is something that can be done.

There is also impact aid. Of course, we have schools that are different, schools that are in communities that are largely Federal. For example, they do not have the same kind of tax structure and opportunities that others do. We have schools on Indian reservations and schools for Native Alaskans, and so on, that need special care. In Wyoming, we have reservations that need special attention. We can provide that special attention.

So these are the issues that will be involved in the educational bill that is upcoming. There is great concern over the amount of money that will be put in education. The Republican bill has more money in the budget than the President has asked. There will still be arguments made about needing more money.

Of course, one of the issues is that when there is a "surplus," there is never enough spending to suit some people. Others think there ought to be a limitation on the role of the Federal Government. I happen to agree with that in terms of its involvement in elementary and secondary education.

So I think we will have a spirited debate. It is interesting, though. Everyone in the debate, I believe, would agree that we have a real responsibility and are determined to help strengthen the educational system in this country. The question will be, how do we do it? How do we best do it? What are the areas in which we can have the most impact?

I have to confess, frankly—and I know there is testing, and so on—I am pretty proud of the system that we have and the young people with whom I have occasion to deal. Frankly, my wife is a special ed teacher, so I have a little insight into that. As I tour around our State, I am pretty darn proud of the young people in my State. I think they do a great job. Quite frankly, many of them are better prepared for life when they get out of school than I was or perhaps some of us were that are a little older.

So are we where we should be? No, of course not. Are there areas that are particularly in need? I think so. And we are in one of those areas right now. The results in the District of Columbia are not up to the normal performance levels. There are many of those areas. So we need to work on that. But we also have lots of dedicated teachers who do a great job and lots of school districts that do a great job.

So I am anxious for us to move on this matter of education. I think we will be on it today. Certainly we will be on it for some days. Indeed, we should be. As we deal with this question—or any question, for that matter, but this one maybe even more than others—we need to set some goals for ourselves as to where we want to be in 10 years, where we want to be in 15 years, what we want our children to be able to do, what opportunities we want to be able to provide for them, so that as we deal with today's issues, and the issues that are in this bill and are before us—each one is a rather small step—that those steps are directed for the attainment of a goal with which we can all agree.

It seems to me that is very important to having a successful discussion of an issue of this kind.

We need to have defined what our values are, what our goals are, where we are headed, and what it is we want to have as a result of the efforts we have made.

Mr. President, 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.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. DURBIN. I ask unanimous consent to be recognized in morning business.

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

#### AMERICA'S PRIORITIES

Mr. DURBIN. Mr. President, as the Members of the Senate are returning this week from our Easter recess, many of us spent time in our home States talking with our families and leaders, trying to catch the pulse of America. I was back in Illinois and had the opportunity to travel across my State and have a number of meetings which had a profound impact on me in terms of our debate in the Senate. I think these recess periods are valuable because, as close as we think we are to people, there is absolutely no substitute for sitting down with them and having some conversations about the issues we are debating.

One of the issues we have spent a lot of time debating in Washington is the whole question of the tax cut. I think most of us believe a tax cut is a good thing to do. This may be a good time to do it. There is a lot of uncertainty in America now about our economy. I met a lot of people during the course of my time back home who have seen their 401(k) plans and IRAs and mutual fund savings take quite a battering over the last 5 or 6 months. It has happened to virtually all of us who were not quite smart enough to get out of the market at the right moment.

I still have a very positive feeling about where we are going, and I do believe we can get this economy back on track. But I, frankly, do not believe we are going to do it with the proposal we have heard from the White House for a \$1.6 trillion tax cut. This is a suggestion by the President that we will have such prosperity and such surpluses over the next 10 years that we can make dramatic tax cuts now and be able to pay for them 5, 6, 7, 8, 9, or 10 years from now.

It takes a lot of insight and foresight to look ahead and suggest where America's economy is going to go. One of the people most respected in Washington is Alan Greenspan, Chairman of the Federal Reserve. It was only 6 or 7 months ago that Chairman Greenspan suggested raising interest rates to slow down a hot economy. Since then, the economy has slowed down dramatically, and Chairman Greenspan has been racing week after week to lower interest rates to try to get things moving again.

So even the best minds at the Federal Reserve and the Chairman 6 months ago, 8 months ago, were guessing wrong about where America's economy would be today. I think it leads to a healthy skepticism by many people when President Bush says: I know what America is going to look like 5 years

from now; I know where we are going to be.

Take a look at the same economists President Bush is relying on. What did they guess 5 years ago for today? They told us America would find its economy in such a shape and the Federal budget in such a shape that we would have a \$320 billion deficit this year. It turns out that our surplus is about \$260 billion. So they missed it by \$580 billion 5 years ago when they tried to guess where we would be. So I think you might understand why this Member of the Senate and many of the people I represent are skeptical when the President says the best thing for America is to guess we are going to be so well off in 5 years or 10 years that we can create tax cuts now.

Many of us believe we are on the right track in terms of the general drift of our economy, though we are in a slow period; We do think if we make the right decisions now we can get back to see the growth of income in families, the increased value of our retirement plans, more jobs, more housing. But we have to make the right decisions now.

If there is going to be a tax cut, and I think there should be, it should be a sensible one, one that we can justify, not only today, but which might look good a few years from now. If we are going to have a tax cut, for goodness' sake, everybody in this country should profit from it. Everybody should benefit. All taxpayers should benefit.

Under President Bush's proposal, the \$1.6 trillion tax cut, 43 percent of the benefits go to people making over \$300,000 a year. These are people who have a monthly income of \$25,000 or more. They are the big winners in the President's plan.

I am sorry, but I do not believe those are the people on whom we should be focusing. Yes, they are entitled to a tax cut, as every American family should be, but they should not receive a disproportionate share of any surplus.

Let me give you two illustrations. A man came up to me Saturday night in Chicago and he said: You know, Senator, you just don't represent me in Washington, DC.

I said: What do you mean?

He said: I think you ought to vote for President Bush's tax cut because it would help people like me. I am one of those leaders in the economy who makes a difference, and you, in fact, have criticized the President for the tax cut that would help me.

I said: Tell me a little bit about your circumstance.

He says: I pay taxes. I paid a lot of taxes last year. I paid \$900,000 in Federal taxes last year.

How many people do you run into who paid \$900,000 in Federal taxes? I didn't know the man. But just a rough calculation—you don't have to be H&R Block to figure this out—suggests that man's income last year was \$3 million or \$4 million, maybe more. He paid

\$900,000 in taxes and he was critical that I didn't support the Bush tax cut that would have given him over \$46,000 of tax breaks last year.

I said to him: I understand that you have been an important part of this economy. Of course you should be considered when it comes to tax cuts. But you have done pretty well, haven't you?

He says: I have, but my portfolio has taken quite a hit over the last 6 months.

I said: Numerically, virtually all of us can tell that story.

But it is hard to imagine that this is the man we should be focusing on when we talk about getting America's economy and people moving again.

I had another conversation a few days before that stay in a little hotel in Chicago late one night when I went to do some laundry down the hall at about 9 o'clock. There was a housekeeping lady who was kind of laughing at the Senator who was out doing his laundry. But I said we kind of lead ordinary lives when we are not in the spotlight.

We started talking. This lady is a single mother who raises a few children and works as a housekeeper in this hotel. I said: How are you doing? She said: I thought I was doing pretty well, Senator. She said: I was keeping up with my bills and everything, but this winter the heating bills have really hit me hard. I paid the same amount as I did last year for my heating bills, and I am \$1,000 behind. Now I have to pay \$1,000 more. I have to pay for the heating bills, and now I am working with the gas company to figure out how to do that. She said: I really try to pay something on those. I have really tried. I am \$1,000 behind.

I was thinking to myself, as I was flying back to Washington, about those two people I met. Frankly, both of them are good, God-fearing American citizens. But I have a great deal of concern about that lady who is a housekeeper and is working at night trying to keep her family together, paying her bills, and who ran into an unexpected expense of \$1,000 because of her heating bills. Sadly, the Bush tax cut provides no tax benefit for them. If anything, it is about \$220 a year. For the man who makes \$3 million or \$4 million a year, the Bush tax cut is worth \$46,000 more. For the lady who is trying to figure out how to pay for the \$1,000 heating bill, it is \$200. That doesn't strike me as fair.

If there is going to be a tax cut in this country, it should be a tax cut that really benefits all the taxpayers and gives everyone a chance to have some spending money and have their taxes reduced.

Another concern of mine is that the Bush tax cut doesn't provide any tax relief for people who do not pay income tax but pay payroll taxes. Twenty-one million Americans go to work every day, and because their income is low, they don't pay income tax but they pay the payroll taxes. They pay for Social

Security and Medicare. Sometimes it is a substantial part of what they earn. To say that these people are not taxpayers I don't think is fair. They are working people who pay their payroll taxes and see it taken out of their paycheck. I think they are entitled to be in this conversation about tax cuts to get America moving again.

When it comes to the tax cut proposals, I sincerely hope that when the conference committee meets, it is going to move closer to what the Senate suggested and bring the President's tax cut down to a level we can justify, that doesn't rely on inflated projections about where our surplus might be, and try to make sure we invest in our priorities for this country. And when it comes to the tax cut itself, let's try to make that fair for all families—not 43 percent of it for people making over \$300,000 a year but for that housekeeper in that hotel in Chicago doing her level best for her family and who just needs a helping hand now, and for families who, frankly, have low-income jobs but are going to work every day. They may not pay income taxes, but they see those payroll taxes come out of every paycheck. Include them in any tax assistance you provide.

One of the most significant votes during the course of the debate on the budget came as a result of the amendment of the Senator from Iowa, Mr. HARKIN. He offered an amendment that said President Bush's \$1.6 trillion tax cut should be reduced so that we can put more money into two things: First, national debt reduction; and, second, education. I think Senator HARKIN was right. I am glad his amendment passed on a bipartisan basis.

The national debt is our national mortgage. The national debt is about \$5.7 trillion. It has never been larger in our history. We collect \$1 billion a day in Federal taxes to pay interest on the old national debt. It doesn't hire a teacher. It doesn't build a road. It doesn't protect America. It services the old debt.

When Senator HARKIN suggested that we put more money in debt reduction, I think he was right. If there is going to be a surplus this year, let's start retiring the national mortgage. The best gift I can leave my kids or grandson is to have less of a debt burden for my generation. I think that makes sense.

I am glad Senator HARKIN prevailed. The White House did not approve of his amendment. They opposed it. But a bipartisan majority on the Senate floor supported it.

The second part of Senator HARKIN's amendment also goes to the key issue of education. Senator HARKIN proposed \$250 billion in new spending by the Federal Government for education over the next 10 years. I think Senator HARKIN is right on the money.

As I talk to people across my State of Illinois, they say education is very important. For many of us, without education, we wouldn't be where we are today. Neither my mother nor father

went beyond the eighth grade, yet I was able to go through high school, college, and law school and stand in this Chamber today. I brought the report card home every 6 weeks. It was a big event in our house. My parents may not have had a great formal education, but they knew what education was all about. I think families across America know that education is really the ladder we all climb for success in America.

Senator HARKIN said in his amendment, cut back on President Bush's tax cut and put the money in education. Where would we put it?

I had a meeting in Naperville, IL. Naperville is the fourth largest city in my State. It is a great community. The mayor took me around. We went to a local high school, Naperville Central. They are very proud of the fact that they just took an international test in math and science and came up first. It is a good school system. But it is a school system facing a lot of pressure right now because of cutbacks in funds and property tax caps. They are doing their best to keep good teachers and to make sure they still have the best students. That is one of the better off school districts in my State. In my old home, East St. Louis, and parts of Chicago they are really struggling with limited funds.

Senator HARKIN said we needed to invest more Federal dollars in education in the areas they have focused on with these investments. The local level I think is what most people understand.

First, the key to success in education is good teaching. I can recall some excellent teachers in my life who made a difference for me. I can recall some who weren't so great where I had to kind of weather the storm, get through and hope for a better teacher in another course and another year.

Senator HARKIN is talking about investing money in teacher training so that we have the very best teachers in the classroom. We have a lot of teachers who are going to retire very soon. We want to make sure they are replaced by young, idealistic, and energetic teachers who can really motivate our students to learn. There is no substitute for that. If the Federal Government can assist in teacher training, recruitment, and retention of good teachers, I think that is money well spent.

The second thing we are talking about is class size. I have had teachers come up to me in the Chicago area and say the Federal initiative to reduce the number of students in the classroom is the best thing that ever happened to them.

Imagine yourself as a parent trying to raise your kids at home. I can recall when my wife and I had our first child. We doted on that little girl. We spent all that time. And then came along a son. Then came another daughter. Pretty soon it looked like a mob scene in our house. We tried to keep it under control with three kids. Imagine your classroom every day with about 30

kids. It is a tough thing to make sure you focus on every child's desk and what they are doing and trying to give a little help to those needing a little extra help. Teachers say, if you can reduce that class size to 20 or so, it makes a profound difference in their effectiveness as teachers.

In Federal investment in education, we want to make sure we put that money where it is needed so that we can have smaller classroom sizes.

I also think we ought to take a look at the schoolday. The schoolday that ends at 2:30 or 3 in the afternoon isn't realistic anymore. Usually kids don't have people to whom to go home. They have a period of 3 or 4 hours where they could stick around school and be involved in activities. That is good. But for too many of them it is just dead time—time to watch television and hang out at the mall or on the street corner. That is not the best time to be unsupervised. That is when juvenile crime goes up. I think afterschool programs make sense, so kids have supervision.

We have Gallery 37 in the Chicago public school system in which Mayor Daley and his wife have been involved. They are about to expand that to provide more opportunities for kids after school. I find that all around my State that has happened. That ought to be a national program, so that we have afterschool programs for kids who may need extra help with their studies or may need an opportunity to learn how to play a musical instrument, to get involved in an art class, or perhaps just to play basketball. It may be something that will enrich them or enable them to learn a little bit more about computers.

All of these afterschool activities are good, but we really need to focus on it to make the schoolday reflect the reality of American families.

The same thing is true with the school year. Three months off in the summer so the kids can go work on the farm—there are not a lot of kids working on the farm, even in Illinois. The question is whether or not there should be a summer school opportunity for enrichment for children.

You find that kids, if they have tested well at the end of the school year, and they are gone for 3 months, when they come back they lose lots of what they learned. So when we invest money in summer programs to enrich kids, and give them new opportunities, and they continue to learn, it is a good investment in continuing education.

I think taking money from the \$1.6 trillion Bush tax cut, which goes primarily to wealthy people, and putting it into education so kids have a chance in the 21st century in America makes a lot of sense. That is why I was happy to support the proposal from Senator HARKIN, the bipartisan amendment which passed, to cut it back and make sure we have more money invested in education.

We celebrated Earth Day last Sunday, too. I think that is worth a com-

ment or two, as well, because if we are going to make investments in America, we certainly ought to make investments in environmental protection.

Some of the things that have happened in the first 90 or 100 days in the Bush administration have been very troubling, such as this whole debate over arsenic in drinking water. I happen to believe we ought to take a serious look at what we breathe and what we drink and what we eat to make certain that it is safe.

All of us are concerned about public health statistics that show an increase in cancer, in pulmonary disease, factors that lead us to question why is this happening now in an America that is so modern, in an America with so many health resources. I think, in many instances, it gets down to the basics—the water we drink, the air we breathe, the food we eat.

When the administration came in initially and said they were not going to stick with the Clinton proposal of reducing the arsenic content in water, there was a cry across America because families said: Why are we doing that? Wouldn't we want to make water safer? We know that arsenic is a carcinogen. It causes cancer: lung cancer, bladder cancer, skin cancer.

For years now, we know that Europe has had a safer arsenic standard. We know the National Academy of Sciences tells us we should move to the safer standard. Why would the Bush White House reverse that position? But they did.

Last week you may have heard Christine Todd Whitman at the Environmental Protection Agency say they were going to reconsider this decision. This debate goes back and forth. But I tell you, when it gets down to something as basic as the safety of the water we drink, we expect the White House to be listening to families across America and not to special interest groups that are pushing for relaxed environmental standards.

Whether we are talking about carbon dioxide in the air—which is part of global warming—whether we are talking about lead or whether we are talking about arsenic in drinking water, the Environmental Protection Agency is supposed to be just that: an agency to protect the environment, not a revolving door so that special interests and corporate interests can come through and change regulations to their liking.

I am glad they are going to reconsider their position on arsenic in drinking water. But I certainly hope that is not an isolated situation where they found religion. I hope that it reflects a new idea in the Bush White House about true environmental protection.

We can take a look at some of the energy concerns across America, and they are directly linked to the environmental questions. The people who have talked to me for the last several months in Illinois about increased heating bills and the high natural gas

prices now are talking about increases in gasoline prices at the pump. I don't know if it is happening across America, but it is certainly happening, again, for the second year in a row, in Illinois, where we are seeing this runup in gasoline prices at the pump.

Yesterday, two of the major oil companies reported record profits. It is no surprise; the families and businesses I represent are paying more at the pump, and that must translate into profits for some. The question is, When the President's task force on energy policy comes in with a report in a few weeks, will they take into consideration the consumers, the people who are paying the bills—the higher electricity bills, the higher heating bills, the higher gasoline bills? It is not appropriate or fair, as far as I am concerned, for them to just look at it from the corporate viewpoint.

I know the President and many of his people in the White House have been closely aligned with the oil industry in Texas. I understand that. That is part of their background. But I think their responsibility now goes far beyond the industry. It is time for them to be sensitive to the families and consumers who are paying the bills.

A lady came to see me yesterday in Chicago and talked about the increase in gasoline prices. She has a small business, a messenger service. She said: Senator, here we go again. It hit us last year and it is coming back this year. I have to lay off people. I can't afford this.

I had some people who came to me from a steel company in Chicago, Finkl Steel. They have had an increase in natural gas prices, which means an increase in the cost of their product. They find it difficult to pass along this cost to their consumers as they are struggling to keep everybody working in their plant.

These energy prices, as they are going up, have a direct impact on employment. We have to try to find an energy policy that accomplishes several things. First, it gives America a reliable source of energy; second, it makes certain consumers are not disadvantaged in the process; and, third, it respects our environment.

I certainly hope the Bush administration comes in with a proposal on this and that they will, in fact, take all three factors into consideration, and not just the profitability of the energy industry.

So we have an important debate ahead of us in Washington on a number of issues related to education, environment, energy policy, and certainly health care. I left health care for last because it is something that I think we have forgotten, and we should not. The people I represent have not forgotten it.

I went up to Palatine, IL, to the clinic run by the Cook County Bureau of Health Services and Northwest Community Health Care. I was there with the mayor, Rita Mullins. After we went

into this clinic, Dr. Rodriguez came up to me and the first words out of his mouth were: Welcome, Senator. We need universal health care.

That was the first thing he said to me. He had a waiting room full of people with small children who were uninsured, people who were charity cases for that clinic.

Each day in America more people lose health insurance. At a time of prosperity, when those of us in Congress are supposed to be sensitive to the real problems of families, we are totally ignoring the obvious. More and more people are uninsured. Fewer and fewer families have peace of mind when it comes to health insurance. More and more employers are cutting back on health insurance coverage for their employees, and they are making it difficult for those employees to protect their families.

I know a fellow who had a small business with only about 10 employees. One of the children of one of his employees had a serious health problem. As a result of that health problem, the employee incurred very expensive medical bills. The health insurance company came back the next year and said: We are increasing your premiums by over 50 percent because of the one child in the one family. Because of that, the business was forced to drop health insurance coverage and to merely give their employees the amount of money they had traditionally spent for health insurance policies in the past. At least they did something, but it was of little or no help to the one man and his family who had been hit by all these medical bills.

That is the reality of the America in which we live. There are virtually no proposals before Congress to deal with this problem. We cannot overlook it because the people who get severely ill in this country end up showing up, at some point, at the hospital when they are facing an acute illness. They do get treatment, at the expense of the system, at the expense of everyone else who pays for health insurance premiums across this country.

There are several things I think we can do. First, I believe we should provide tax benefits, deductions, and credits for small businesses that offer health insurance. Give them a helping hand in the Tax Code. If the President can find \$1.6 trillion for a tax cut, primarily for the wealthiest people in this country, for goodness' sake, can't we find a tax break for small businesses so they can provide health insurance for their employees? I think that is good for the family who owns the business as well as those who work there.

Secondly, I have introduced legislation called caregivers insurance. This is what I am trying to achieve. We entrust the people we love the most in our lives to those who are paid a minimum wage.

Who am I talking about? Our children and grandchildren in daycare, our disabled friends and relatives who need

a personal attendant, our parents and grandparents in nursing homes. They are primarily attended to and watched by those making the minimum wage, and these people who are keeping an eye on the folks we love the most generally don't have any benefits; they certainly do not have any health insurance in most instances.

The plan I propose, caregivers insurance, would make all of these licensed workers in daycare facilities, personal attendants to the disabled, and those working in nursing homes eligible for Medicaid coverage in their States. The State of Rhode Island is doing this. I think every State should do this—so that it is part of that job.

The turnover in these businesses is 50 percent or more each year. If we are going to keep good daycare workers, if we are going to keep good working people at nursing homes, we ought to give them the peace of mind of having health insurance. That is something we should do in this Congress. I hope the caregivers across America to whom we say we are willing to entrust our children and our parents can come together and prevail in this Congress for this health insurance protection. So as we get into this debate, the serious part of it in the appropriations bills, we have an important agenda ahead of us.

The President will have completed his first 100 days as of next Monday. At that time, people will make an assessment. I think the President deserves good marks in some areas even though I sit on the other side of the aisle from his party. I certainly acknowledge that he has shown a sensitivity to many issues to which the American people are sensitive as well.

But I think the basic question is whether this White House is really focused on the average family, the working family, the people who are good citizens in their neighborhoods and in their parishes and churches and synagogues and temples, people who are paying their taxes, obeying the law, doing their best to raise their kids, whether this administration keeps them in mind when it talks about a tax cut plan that should be benefitting these families as much as the wealthy—sadly, the Bush tax cut really is focused on helping the wealthiest among us and not these families who make up the core values of America—and whether the President's plan on education really thinks about families across America in the cities and rural towns in Illinois and the suburbs around Chicago, families who want their kids to have the very best education, whether the President is really prepared not only to give a speech about education but to provide a budget which funds education at levels so that education quality is maintained and improved for this country.

Finally, of course, when it comes to the environment, that the people at the Environmental Protection Agency and the Department of the Interior will

think about their public responsibility to the legacy we are leaving our children. This Earth should be cleaner. It should be safer. There should not be questions about the water we drink, the arsenic levels in it, the air we breathe, and whether or not we are doing our share in America to deal with global warming. We need to have the courage and the leadership in the White House to be sensitive to environmental issues that will affect generations to come.

The assessment of the first 100 days will be made by many, but the most important assessment will be made by that family back in Illinois, or whatever State they may be from, who will ask this basic question: Does this administration, does this White House, and does this Congress really care about me and my family? Are they making decisions for special interest groups or for those who have all of the power in Washington or are they remembering the real America, the families in each community who make this the great nation it is?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### EDUCATION

Mr. WELLSTONE. Mr. President, maybe I should have taken the time to look at some notes. Instead, I will speak extemporaneously about the education bill.

I will take a few moments to talk about an issue that is near and dear to me, given my own background as a teacher and my great passion about children and education. I will talk about the Elementary and Secondary Education Act.

Before we went on break, I objected to a motion to proceed to this bill. The main reason I objected was I did not know what was in the bill. As a legislator, as a Senator from Minnesota, who gives, if you will, a special priority to children and education, I wanted to know what is in the bill.

The second question, of course, has to do with appropriations. But, first things first. I wanted to know what is in this bill, and there are some questions I want to raise right now in anticipation of what will probably be a very rigorous and vigorous debate about education before the Senate. This is as it should be.

The title of this bill is called BEST. President Bush is arguing we can do our best for children and for education by the Federal Government requiring that every school throughout the United States of America having annual testing starting at age 8 with

third graders, going through age 13. This will be in addition to the testing that now takes place.

The first point I want to make today about this legislation is that we have to be very clear in the language that there is no abuse of testing and that at the local and State level, school officials and those who administer this test will be able to rely on multiple measures. We want to be very careful that this testing is consistent with National professional standards of testing. That is very important. Quite often there is confusion between accountability, which we are all for, and a single standardized test. They are not one in the same thing.

The second point is if, in fact, we are going to have this mandate on all of the States to do this testing, there has to be money committed to administer these tests. This should not become an "unfunded mandate." States and school districts will be interested in that.

Most important of all, if we are going to have a massive requirement which puts all of the emphasis on testing, we also should make a massive commitment by way of resources to make sure all of the schools, teachers, and children have the same opportunity to do well on these tests.

Right now, we do not have that. What we have from the President is a tin cup budget for education. I have said it over and over and over again in the Senate, and in articles, one cannot realize the goal of leaving no child behind on a tin cup budget. At the moment, we have very little by way of increase in expenditures for education under the Elementary and Secondary Education Act. That, to me, is unconscionable. If we are going to now basically say to every State, every school district, every school, every child, take these tests and this is going to be how we will measure how you are doing, we will set up a lot of schools, teachers, and children for failure unless we give them the resources to make sure the children can do well.

I will be very interested to see when we move to this bill, whether or not there is a new, bold commitment to the title I program for kids who come from disadvantaged backgrounds. Now it is funded at a 33-percent level. I will be interested to see whether or not there is a commitment to afterschool programs, whether or not there is a commitment to additional help for kids in reading, and whether or not there is a commitment for rebuilding our crumbling schools. I will want to see whether or not we have a commitment to smaller class size and whether or not we have a commitment to recruiting good teachers. If we don't do that and we don't live up to what is our responsibility, we have put the cart before the horse. We are going to hold the schools, children, and teachers accountable where we should be held accountable.

Where is the investment, I ask. I probably will offer a trigger amend-

ment, if, in fact, this bill comes to the floor, which will say that no state will be required to implement the new testing under this bill until we fully fund the federal share of the IDEA program, which is a program for kids with special needs. How can we not fully fund this program? Right now, we are funding IDEA at one-third of what we owe. We need to pay for everything that we owe. How can we not fund that? How can we not fully fund the title I program? How can we not fund teacher recruitment, smaller class size, investing in crumbling buildings, before we start saying we will have tests every year?

What the President has done, what the administration has done, and what too many Democrats seem to be accepting is the idea that tests are the reform. The tests are the way we assess reform. I do not believe we will be doing our best for children in America if the only thing we will do is force tests on every State and school district in the country without at the same time giving the schools and teachers and children the resources to do well.

If we want to make the argument that to invest money and not have any tests is to not have any accountability, fine; let's have accountability, if the testing is done the right way. My argument is if all we do is have the tests and we have hardly any new additional investment in education and in children, what we have done is have accountability but it is a waste of time.

Quite frankly, until we get serious—the President is not; not in the budget—it does not matter the words we utter. It is not the photo ops. It is not visiting children in schools. Where it matters is whether or not we are willing to make the investment.

Senator HARKIN and I had an amendment that called for \$225 billion more by way of investment in education over the next 10 years. That must be kept in the Budget Conference Committee. That amendment is all about investment in children. Unless we do that, unless we make that kind of a commitment, we are not doing our best for children.

My hope is that Democrats will make it very clear to our colleagues on the other side that anything and everything that helps children and education, we are for. Any way we can work together, we should do so. But we are not going to throw our support behind an education program which calls itself BEST—which does not come anywhere close to how we can do our best for children—all for the sake of \$2 trillion in Robin-Hood-in-reverse tax cuts, with over 40 percent of the benefits going to millionaires.

This President so far has not shown the commitment to make the investment in children and education. I hope the Democrats will stand up for children and stand up for education. We will make it crystal clear that if we are going to have this mandate of all these tests, the resources are going to come with it. That is the second point.

Finally, there are some fairly serious policy questions left outstanding. One of those policy questions has to do with what is called the Straight A's Program. The question is whether or not we are now beginning to go to block granting to, seven States. This, theoretically could affect a large number of children in America. It would mean we would all of a sudden move away from safe and drug-free schools, move away from afterschool programs, move away from certain programs that we have passed as a national community. We want to have separate funding for these programs, we want to make these programs a priority, for every child, no matter where he or she lives. To move away from that Federal commitment without some fairly strong language that makes sure all of the children are going to benefit; that makes sure this is not abused in any way, shape, or form; that makes sure this is not used for extras as opposed to what can help children do their very best; I think we have to be vigilant on this question.

I think this could shape up as a historic agreement if it is real. But if it is not real, and the President is not willing to back his rhetoric with resources, and instead he puts most of these resources into tax cuts for, basically, wealthy people at the top, and does not make this investment in education for children, Democrats should speak up for kids. We should speak up for education. We should speak up for our school boards and our school districts and our States.

As far as my State of Minnesota is concerned, I have been in enough meetings with enough schools and enough teachers. We are going through a very difficult battle at the State level, as well, on the education budget. More than anything, what all of the good teachers tell me is give them the resources to work. And, by the way, in addition, what the really good teachers say is they do not want to be forced into some sort of straitjacket education, where everybody is teaching to low quality tests and to the lowest common denominator. This is the educational deadening. If we are going to use tests, they must be high quality. We have got to get it right, do it the right way.

Maybe every Senator has been in a school. I have tried to be in a school every 2 weeks for the last 10½ years. If you get to the school level, you get down in the trenches, you realize a lot of what purports to be reform, may, in fact, not be so good for kids in schools. It may, in fact, be counterproductive. It certainly will be, unless we get the investment in resources.

For my own part, I objected before spring recess to move forward with the bill, and I will continue to object until I see what is in the bill, and then we will see whether we go forward in the debate. I hope, unless the President comes forward with a real investment of resources, that Democrats and some Republicans will directly challenge

this piece of legislation. I don't want to have a piece of legislation that has this great acronym "BEST" with all of the symbolic politics that purport to do so well for children and, in fact, do not. We shouldn't play symbolic politics with children's lives. We ought to be able to do well for kids and get the resources to the school districts, the resources to the States, the resources to the schools, the resources to the teachers, and the resources to the kids. At the minimum, we ought to do that.

That would be my commitment in this debate that is to come.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORZINE. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

#### THE ENVIRONMENT

Mr. CORZINE. Mr. President, I rise today to speak about our environment, and the right of all American families to clean air, clean water, and a clean future for generations to come.

Maintaining a clean and safe environment should not be a partisan issue. All of us live on the same planet. We all breathe the same air. We all drink the same water. When it comes to our global environment, we are one community.

In fact, when Americans voted last November, they voted for two Presidential candidates who both professed a strong commitment to our global environment. Former Vice President Gore obviously made environmental protection a top priority. But President Bush also made several promises to improve environmental conditions.

Unfortunately, as we celebrate Earth Day, Americans around the country are growing increasingly concerned that these environmental promises have not been kept. Instead, we have seen a series of actions that threaten to have significant and adverse effects on the quality of our air and water, and on the natural resources that our children and grandchildren will inherit.

First, President Bush reneged on a campaign promise to regulate carbon dioxide emissions. Then he caused an embarrassment abroad by announcing the United States' withdrawal from an international initiative to address global warming. He went on to block new protections against arsenic in our drinking water, even though scientists have clearly found that Americans face unacceptably high cancer risks from arsenic in drinking water under existing standards.

These actions are out of step, in my belief, with the American people. Certainly they are out of step with the people of New Jersey. Americans understand and reject the outdated no-

tion that we need to sacrifice the environment in the name of the economy.

Unfortunately, the attack on our environment continued in the President's budget, which would slash funding for EPA and natural resource programs by 15 percent over 10 years. This would significantly weaken our commitment to environmental protection in many ways.

Consider, for example, the President's request for funding for water infrastructure funding. The President is reducing the funding for the Clean Water State Revolving Fund and wastewater loan program by \$450 million in this budget year. Yet more than 40 percent of our Nation's waters are not safe for fishing and swimming. In my own State of New Jersey, 85 percent of the water does not meet the quality standards of the Clean Water Act. I cannot and will not support a budget that will take us to even lower standards of protection.

I also am concerned about the administration's proposal to cut funding for clean air programs at the EPA. More than 100 million Americans today breathe air that does not meet the standards of the Clean Air Act. Yet President Bush's budget cuts EPA's clean air programs by 6 percent next year, from \$590 million to \$564 million. This could have a serious impact, especially for those more vulnerable to dirty air: the young, the old, and the infirm. Just this week we saw new scientific evidence of the carcinogenic impact of breathing soot in our air. I know it will have an impact in my State where the air quality in 9 of our cities and countries is among the worst in the Nation. We need to move against this.

While the cuts to programs like clean air and clean water may tend to get the most attention—and maybe they should—I am especially concerned about the cuts in the President's budget for EPA's enforcement operations—the so-called compassionate compliance. We can have lots of strong laws on the books to protect our environment, but if they're not enforced, they're worth little more than the paper they're written on. We in New Jersey have seen the consequences of underfunding enforcement. For example, our State reduced funding for our water pollution control enforcement program by 26 percent. I repeat, 85 percent of our waterways do not meet the clean water standards. That is a major reason why we continue to have such significant water quality problems in our State. We are not enforcing the rules that we have on the books. I hope we will not repeat this kind of mistake at the national level.

The President's budget also underfunds initiatives to conserve energy and to develop clean energy technologies. Overall, the budget cuts for the Department of Energy are \$700 million next year. This includes a \$103 million cut in renewable energy research and development, and a \$20 million cut

in energy conservation programs. These cuts come at a time when our Nation is once again confronted with the need to reduce our dependence on foreign oil and to develop a comprehensive energy policy. An energy policy that addresses this challenge should have renewables and energy conservation as centerpieces. Instead, this budget puts them on the chopping block.

The President's budget also threatens our Nation's land and wildlife resources. It would weaken the protections of the Endangered Species Act, underfund land conservation initiatives, and generally weaken the Department of Interior's efforts to protect and preserve our Nation's great natural heritage, including our national parks. This will undermine numerous efforts by our States to fight the effects of sprawl and over-development, including the one spearheaded in my own State of New Jersey by our then-Governor, Christie Todd Whitman. She implemented a 100,000-acre open space initiative as Governor. I am concerned because in New Jersey the Sierra Club estimates that we are losing 10,000 acres of our dwindling open space a year. In New Jersey, these are real issues for us. We are the most densely populated State in the Nation.

The budget goes beyond cuts in some cases; for example, it eliminates the popular Wetlands Reserve Program. This is a voluntary program that creates incentives for farmers to manage their lands as wetlands. Finally, the budget proposes to drill the pristine Arctic Refuge in Alaska at the expense of rare species and fragile ecosystems.

Let me say that I would always prefer to give the President the benefit of the doubt. His actions, and the things he has to do, are difficult for everyone. But it is simply wrong to give big corporate interests such overwhelming influence in the development of environmental policies. The mining industry may do a lot of good, but it should not control policies over public lands. The oil and gas industries play important roles, but their short-term interests should not undermine the broader public interest in protecting our precious natural resources. We need a more balanced approach then we have been getting thus far in our discussion of the environment.

It is a great disappointment to me and many of my constituents given how important the environment is to each of them and their families. I have certainly heard that as I have traveled across New Jersey in the weeks leading up to Earth Day.

I hope we in the Congress will do what we can to help restore a balance to our Nation's environmental policy. I assure the people of New Jersey that I will continue to do all I can to resist efforts that would lead to dirtier water and dirtier air and erode our national heritage. The stakes are vital to our country and to my State. The American people deserve better.

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

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

#### EDUCATION

Mr. GREGG. Mr. President, I want to take a brief moment to speak about one element of the education issue which as we move towards the debate on the education bill will be discussed at considerable length in this Chamber.

I want to lay out a predicate for this discussion. That involves the issue of what I call portability, or choice. Some have tried to place on it the nomenclature of vouchers, which really isn't accurate. But the issue is giving parents options in the educational system to assist them in ensuring that their children get an education which is of benefit to them and allows them to be competitive in our society.

I think we all understand that the core element of success in our society is quality education. We especially understand that in New Jersey where we don't have a natural resource to mine or agricultural products. We don't have some unique physical characteristic that gives us the ability to create income as a result of that characteristic. The essence of what gives our State its competitive advantage is the fact that we have a lot of people who are well-educated, intelligent, and are able to compete successfully in a very highly technical society.

That is a definition that can be applied to our country as we see a global market develop in all sorts of commodities. It becomes very clear that the theories of Adam Smith apply in our society and in our world today. There are certain products and certain capabilities which one society is better at than other societies. Fortunately, our society is best at those activities which produce the most wealth and the most prosperity. A large percentage of those products and capabilities involve technology. They involve intellectual capacity, and they require a strong education system to succeed.

Regrettably, what we have seen in our society today is an educational system that has not kept up with the needs of our Nation. In fact, tens of thousands—literally hundreds of thousands—of kids in our educational system simply aren't being educated at a level which makes them competitive in this high-technology world. It makes them capable of being successful, which means when they leave school they have the capacity to compete with their peers in English and math and basic science.

We have seen this regrettably for years and years. The situation hasn't improved a whole lot. In fact, we see in

study after study the conclusion that our school systems aren't working that well in many parts of our country; that we are well behind other nations which we are competitors with in the international community in the industrialized world. We rank close to last in math and science. It is especially true of kids who come to the table of education who have a natural disadvantage of coming from a low-income background. Those kids are even further behind than kids who do not have that disadvantage coming to the educational table. In fact, as I commented in this Chamber before, the average child in the fourth grade coming from a low-income background reads at two grade levels from his or her peers.

The same is true nationally. It is throughout the system. It is not just fourth grade. We have seen the dropout rate. We see the lack of capacity to be competitive academically on the low-income side, and especially the minority side in our urban areas is a staggering problem. It hasn't improved even though we have spent hundreds of billions of dollars in this country trying to improve the system. What can we do to change that?

We are bringing out an educational bill on the floor with amendments to address a number of areas, and it has some very unique and creative initiatives. The President made it his No. 1 priority. He brought forward the debate and I think moved the debate dramatically down the road or significantly down the road towards trying to get a different approach to this issue, recognizing that we have not been successful with the way things have been working for the last 20 or 30 years. He has suggested that we give schools more flexibility, but in exchange for flexibility for parents, teachers and principals in the school system require more accountability, and that we hold that accountability to be applied not only to the norm but to every individual group within the norm, whatever their ethnic, race, or income background. It is basically a testing program that requires kids maintain that level of proficiency in their grade level.

But what happens when you see a school system which continues to fail year in and year out? You may say: Who defines failure? The Federal Government? No. Failure is defined by the local school district or the State school board deciding what a child should know in the third, fourth, fifth, and sixth grades. It is not the Federal Government setting the standard. It is the local school boards.

But we know literally thousands of schools in this country year in and year out meet the standards when it comes to teachers teaching kids in those school districts and those school buildings—standards which are set up not by the Federal Government but are set up by the local school districts or by the States.

Literally thousands of schools are not cutting it this year. They have not

cut it for years in sequence. In some of our urban areas, 80 or 90 percent of the schools simply are not teaching the children in those school systems at a level that the local school district or the local school board or State school board defines as educational proficiency.

A parent who has to send their child to that school says to themselves: What am I to do? My child started in this school in the first grade and the school was failing. Now my child is in the fifth or sixth or seventh grade and the school is still failing. My child has passed through a system which simply wasn't teaching them what they were supposed to be taught, and everyone knew that child wasn't learning what they needed to learn.

What can the parent do under our present rules? The parent can do virtually nothing to try to help their child unless they happen to come from a reasonably high-income family. Then they can take the child out of school, or even a moderate-income family if they have a Catholic school system somewhere or a religious school system somewhere that has a low cost and have their child go to that school. But for most low-income families in our urban communities, their options are nonexistent. If you are the single mother with two or three kids, or even one child, and your child is trapped in that school system, you are saying to yourself: How is my child ever going to have the knowledge they need in order to be successful? How am I going to get my child to a point where they can read and do math, where they can step out of that school and get a good job, and where they aren't going to be assigned to a situation where they cannot compete in our society because they haven't been taught? That single mother's options are nonexistent today.

Some of us on our side of the aisle, and a few on the other side of the aisle, have suggested giving parents some options. Let's say to a parent whose child is locked in the school that has failed year in and year out—we are not talking about all parents. We are just talking about parents in low-income families, and single moms trying to make a living. They have a job. They are sending their kids to school. Their kids are in a school that doesn't work. Let's say to those parents that we have some other options. After 3 years in that school system that has failed, the parent will have an option to use the special money which the Federal Government sends to that school system to benefit low-income children, which obviously isn't doing any benefit.

You, the parent, will have the ability to take a proportion of that money and have it follow your child to another school, either a public school or a private school, where your child will have a chance to succeed. Your child will have a chance to participate in the American dream rather than to be locked out of it because they are in a school that does not work.

This concept has been demonized. This concept has been vilified. This concept has been aggressively attacked, primarily by the liberal educational establishment in this country, essentially the leadership of the labor unions. Why is that? This concept of giving parents whose kids are stuck in failing schools—low-income parents, most of them single parents, most of them women—an option to do something to try to bring their kids out of that destitute situation, why has it been so attacked by the major labor union movement in this country which controls the teachers' unions? Primarily because it is the first step to what is known as competition.

Competition is an evil term when it comes to the liberal educational establishment in this country. I am not really sure why it is an evil term. If you go out to buy a car, you decide on buying that car because there is competition. Competition has produced the one car that does a better job of what you are interested in than what somebody else has built. You buy a Ford over a Chevrolet or a Chrysler over a Chevrolet or maybe a Chevrolet over a Chrysler because you decide they build a better product that meets your needs more appropriately.

Competition has been the essence of what has produced quality in the area of products in our country. They will say, this is not a Chevrolet; it is education. No, it is not a Chevrolet. This isn't cars. This is service. In the area of service you do exactly the same thing.

If you have a doctor who you think is not taking care of you or your family correctly, you go to another doctor. If you have a dentist who is not taking care of you correctly—maybe he drilled into your tooth and did not give you any novocaine which caused you a little pain—you go to another dentist.

For service providers, the same is true right across the board in our country. The only place where service isn't provided in a competitive way in our society with any significance, outside of pure Government is in public education. As a result, regrettably, when a child is locked in a failing school, the parent has no options. That is not fair. It is not fair to that child. It is especially not fair to the low-income parent in America. It is not fair to the urban poor in America that their children are the only children who are subjected to this lack of ability to have a chance at the American dream because we have a society which demands that they attend a school that fails year in and year out.

So we have suggested, let's give these parents and these kids a chance. Let's take a small percentage of the funds and allow the parent to use those funds to bootstrap that child into some other educational venue where they think they can do a better job, where the parent thinks they can do a better job. It can be a public school or it can be a private school.

This is an idea that has caused great disruption obviously in the educational

community. But let me point out it is working today with State and local dollars. It is working in the city of Milwaukee and in the State of Arizona. They allow the State tax dollars and the local tax dollars to follow the child to the educational venue, the educational place they wish to go. It works very well.

Listen to the mayor of Milwaukee, who happens to be a very active Democrat, and he proselytizes on this issue about how good it has been for the kids in the inner city, to give them a chance to be more successful, a chance to live the American dream. Remember, we are not proposing—and this is critical to understand—a unilateral Federal program that comes into the State, comes into the community, and says: You must allow the parent to have portability, to have those dollars follow the child.

What we are saying is this: We are going to put on the cafeteria line of Federal programs an idea. You, the local school district, you, the State, if you decide to, through your elected officials—and it is key to underline that; through your elected officials—can take off that cafeteria line the idea of portability, having the dollars follow the child. So it is going to be a program which is totally controlled by publicly elected officials. It will be only at the discretion of publicly elected officials who control the public educational system.

So if the public education system in Milwaukee wants to use the Wisconsin dollars and the Milwaukee dollars, and then wants to also use the Federal dollars, they can do that. But if the public education system in Chicago does not want to use Federal dollars or local dollars or State dollars in order to give parents the option, then it will not happen.

This is not a unilateral exercise. This is an exercise which is related to the local community making the decision, through its locally elected officials, who control local education. So it is not some huge scheme that is going to be settled on the community from above.

Why shouldn't we say to the city of Milwaukee: All right, you have a program that you think is working very well. You are taking your State tax dollars, you are taking your local property tax dollars, and you have set up a program where those dollars follow the child. But, unfortunately, you, Milwaukee, today, under our law today, cannot take Federal dollars and follow the child. Your Federal dollars have to go to the public school system. They have to go to the public schools, and it is not in relation to how many low-income kids there are in the schools—and there can be some low-income kids who do not get any dollars for education—but, rather, it is in relationship to some arbitrary formula settled back in 1976 that simply happens to be a formula based on political expediency today.

Why shouldn't we say to Milwaukee: We are not going to do that any longer, Milwaukee. You have made a decision as to how you think you can educate your children. We are going to let the Federal dollars follow the local and State dollars. Specifically, in Milwaukee, if you decide to do it, we are going to allow you to use these dollars with portability, so the parents can have options; the same with Arizona.

That is what we are proposing. It is really not radical at all. It is not a Federal initiative demanding we have a national program on "vouchers," a word that has been made a pejorative term. It is a program that suggests that local communities and States may decide that parents, who have their kids in failing schools, where those schools have failed year in and year out, can do something for their children that will create some competition in the educational market, something which is fundamental to the American society in producing quality. It is a program that suggests that those school districts which have made those decisions locally or statewide, through their elected leaders, will have the option, with our Federal dollars, to do the same.

That idea has retained huge resistance; the resistance isn't rational. The resistance is political. It is driven by a desire basically not to allow competition, not to allow creativity in our local school districts, but to drive the process of education from Washington, so that an elite few can decide for many how education is pursued nationally.

We are going to discuss this at greater length as we move down the road on the education bill. But I thought it would be appropriate at this time to at least lay down the foundation for the predicate of the debate because it is grossly misrepresented in the press, not because the press does not understand the issue but because the presenters to the press maybe want to misrepresent. I believe it is appropriate to maybe begin to make clear for the record what is being proposed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Chair, in his capacity as the Senator from Wyoming, asks unanimous consent the calling of the quorum call be rescinded.

Without objection, it is so ordered.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15.

Thereupon, the Senate, at 12:30 p.m. recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer [Mr. INHOFE].

The PRESIDING OFFICER. The Senator from Kansas.

## TARGETING CHILDREN

Mr. BROWNBACK. Mr. President, I want to draw the attention of this body to a report that was released just today by the Federal Trade Commission. It is a followup study to one that was done last year on the issue of the marketing of violent, adult-rated entertainment material to children. It was a groundbreaking Federal Trade Commission study last year that found that much of our adult material, adult-rated entertainment material—movies, video games, music—was adult rated by the companies themselves, entertainment companies, the conglomerates, and then target-marketed back to children, for example, in the Joe Camel advertisement. It was said this was an adult-rated product, cigarettes, but using an image to target-market that then back to children. It turns out the entertainment community—entertainment companies and movies and music and video games—was doing the exact same thing.

That report was released last fall, and it was very discouraging and disappointing that they would do this, particularly at a time when we have so much difficulty with violence in our society, violence among kids in our schools, killings among our teenagers.

There was a followup study released just today to that September FTC study. What came forward is that the movie industry is doing somewhat better about not target-marketing the adult-rated material to children, the video game industry is doing better than the movie industry in not target-marketing their adult-rated fare to children, and the music industry that is putting forward these hyperviolent, suicide, violence-towards-women lyrics has actually done nothing to change its marketing practice and continues to directly target-market adult-rated material. This is material the music companies themselves deem to be inappropriate for children. They put an adult sticker, parental advisory, on this material, and they turn around and continue, with millions of dollars in marketing campaigns, to target children.

They are saying: Yes, we got the study last fall. We saw that. Yes, we were target-marketing adult-rated, parental-advisory-stickered material to children last fall. Do you know what. We are going to keep doing it. And they have continued to do that, as shown in this study that was just released today.

I asked that industry to come forward and change its marketing practices: If you believe this material is inappropriate, to the point it needs a parental advisory label on it, don't spend millions of dollars to try to bypass parents and get the kids to buy them.

What the FTC study found is deeply disappointing. There have been some efforts made at progress, mostly, as I noted, in the video game industry, and more modest attempts in the movie industry. For those efforts I offer both praise and encouragement to step up

the progress. But the report also found, as I stated, that the recording industry has made no effort to implement any reforms—either those mentioned in the report or the reforms that they, the recording industry themselves, told Congress they would do. This is even more disappointing.

Before we had the hearing last fall on the marketing of violent material to children, the recording industry stepped up and said: We are going to change. Here is a three-point, five-point, seven-point plan we are putting forward; we will implement these as an industry to change our marketing practices.

They volunteered. Now what they have done is they have said: We are not even going to do what we volunteered to Congress we would do—change our marketing practices.

I want to read just a few statements from this report because it is deeply disturbing:

The Commission's review indicates that the entertainment industry had made some progress in limiting advertising in certain teen media and providing rating information in advertising. The industry must make a greater effort, however, if it is to meet the suggestions for improvement included in the Commission's Report as well as its own promises for reform.

Specifically, the report found, "ads for R-rated movies still appeared on the television programs most popular with teens . . ."—even though they are supposed to be a restricted audience for the movie—"and the ratings reasons in ads were either small, fleeting or inconspicuously placed."

That was the good part of the study. The report reserved its harshest criticism for the music industry and stated:

The Commission found that the music recording industry, unlike the motion picture and electronic game industries, has not visibly responded to the Commission's report, nor has it implemented the reforms its trade association announced just before the Commission issued its report. The Commission's review showed that advertising for explicit-content labeled music recordings routinely appeared on popular teen television programming. All five major recording companies placed advertising for explicit content music on TV programs and magazines with substantial under-17 audiences. Furthermore, ads for explicit-content labeled music usually did not indicate that the recording was stickered with a parental advisory label.

So not only did they market to kids, they didn't warn the parents in the advertising that this was parental labeled material. In the advertising, they said they were not even going to point that out to the parents.

If you refer back to the original FTC report released last September, you will find 100 percent of the violent music they studied was target-marketed to kids—100 percent. Evidently the recording industry saw no reason to change.

Soon the Senate will turn its attention to consider the Elementary and Secondary Education Act, ESEA, and how to provide the best education for all of America's children. I think for

every Senator of both parties, ensuring that America's children get a world-class education is a top priority.

We also know one of the best measures of what a child learns is time on task; that is, children learn what they spend their time focusing on. That is significant because typically the American child spends more time each year watching television and movies, playing video games, listening to music, than he or she does in school. It makes no sense to assume that what a child sees, hears, and does in school will mold, shape, and enlighten his or her young mind but that what he sees, hears, and plays in terms of entertainment will have no impact whatsoever.

Many of the most popular songs, games, and movies actively glorify violence and glamorize brutality. There are video games which cast players as drug kingpins, with the game revolving around selling drugs and killing competitors. There are movies which glamorize murder, casting teen idols as dashing killers. And there are numerous songs which celebrate violence against women—all of which are marketed to children.

If being perceived is doing, we clearly have problems on our hands.

There is new evidence to suggest that exposing children to violent entertainment not only affects their emotional and behavioral development—their sensitivity to other's pain, their ability to empathize, and their perceptions of the world around them—but also their cognitive development. A professor in my alma mater of Kansas State has done ground-breaking research on the impact that exposure to violent entertainment has on children's brain activity. Dr. John Murray's studies have found that in terms of brain activity, kids who are exposed to violent entertainment have a similar experience to those who are exposed to real-life trauma, and their brain responds in much the same fashion.

This research, while still in its rudimentary stages, has potentially profound implications for education. I would therefore like to announce my intention to introduce an amendment to ESEA which calls for increased research into the impact that exposing children to violent entertainment—violent music, and violent video games—has on their cognitive development and educational achievement. I hope and trust that the Senate will adopt this amendment.

In conclusion, I urge my colleagues to look at this interim study by the FCC and what has happened.

I also urge the recording industry to step up and actually do what they said they would do, which is not to market adult-rated material and parental advisory material directly to children. It is harming our kids. It is the wrong thing to do. I ask them sincerely to review what they are doing in their marketing campaigns and stop this practice. It is harmful.

I am hopeful when we have the followup study and the anniversary report

to the FCC study this fall that the recording industry will actually step forward and do what is right.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SMITH of New Hampshire. 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. SMITH of New Hampshire. Mr. President, I ask unanimous consent to yield myself up to 15 minutes as in morning business.

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

(The remarks of Mr. SMITH of New Hampshire pertaining to the introduction of S. 759 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I would like to address the Chamber. May I ask, what is the business before the Senate?

The PRESIDING OFFICER. We are in a period of morning business for 3 hours, equally divided.

Mr. DODD. Is there a limitation on the amount of time?

The PRESIDING OFFICER. There is a 10-minute limitation.

#### ELEMENTARY AND SECONDARY EDUCATION

Mr. DODD. Mr. President, I want to spend a couple of minutes, if I can, talking about the possibility of us debating and passing a comprehensive bill on elementary and secondary education. My hope is, of course, that in the coming days this body will do what it should have done 2 years ago; that is, to pass legislation, as we are required to do only once every 5 or 6 years, on elementary and secondary education.

This morning across America 55 million children went to school. Fifty million went to school in a public school; 5 million went to school in a private or parochial school. We, as President Bush has said, bear a principal responsibility to the education of all our children, but a particular responsibility to children in our public schools, and even further, from a Federal standpoint, a particular obligation to the most disadvantaged children across America.

That has been our historic participation, to try to assist our communities, our States, and most particularly families in this country who suffer from various deprivations, to see to it that their children have an equal opportunity to success. We have no obligation, in my view, to guarantee anybody success in America. But we do bear responsibility to try to provide an equal opportunity to achieving success. That is all really any of us can try to accomplish in our public responsibilities.

So the Elementary and Secondary Education Act historically over the years has been an effort by the Federal Government to assist and participate in the improvement of the quality of public education in the United States. For every dollar of education that is spent by our public sectors—State, local governments, and the Federal Government—out of every dollar that is spent, the Federal Government spends about 6 to 8 cents. And 93, 94 cents of the dollar spent on elementary and secondary education comes from local property taxes in most States. I do not know what Oklahoma does, but I know in Connecticut it is mostly a local property tax. The State also contributes, but primarily it is local property taxes. So the Federal Government's participation financially is rather small when you think of it. Out of a dollar spent, we contribute about 6 or 7 cents.

I am not going to debate this point right now, or discuss this point, but I happen to believe in the 21st century the Federal Government ought to be a better partner financially. I would like to see us become someday a one-third partner—the States one-third, the local government one-third, and the National Government one-third. What a wonderful relief it would be—and I saw the Presiding Officer nod affirmatively when I spoke of property taxes in Oklahoma, as is the case in Connecticut—what a great relief it would be, putting aside education issues, if we could say to people in Oklahoma and Connecticut: We are going to reduce your local property taxes by a third—that is where most of it goes, to education—because your Federal Government is going to step up and be a far greater participant in recognizing the national benefits we all accumulate if the quality of public education in this country improves. So that is what brings us to this particular point.

There has been a lot of discussion about whether or not we have some agreements between the White House and the Senate on an Elementary and Secondary Education Act. There has been some progress. But we are light-years away from an agreement—light-years away from an agreement.

I do not say that with any glee. I had hoped after 2 or 3 weeks of discussions we would be a lot closer. But reports I have read in the newspaper and heard in the press and heard from the White House, heard from some quarters here, that we are on the brink of some agreement, is very far from the truth. I think it is a sad commentary, but it happens to be a fact. Let me tell you why.

First of all, we are asking schools to do some very dramatic things—testing, for one.

I am not terribly enthusiastic about testing as the only means of judging performance. Testing is really not a reform; it is a measurement of how well one does. That is all. As an educator in my State recently said: When children

have a fever, taking their temperature three times an hour is not going to make them feel better; medicine will. Testing every year in and year out is inclined, in my view, to turn our schools into nothing more than test prep centers across America.

Who is going to pay for that unfunded mandate if we jam that down the throats of communities across the country? I am very concerned with this mandatory testing idea as the only way to judge how students are performing.

Many look to our schools as the source of the kids' problems when, in fact, in my view, the problems begin before the kids ever get to school. The problems too often are occurring at home. We do not want to look in the mirror and see what is happening in our own homes long before this child enters kindergarten or the first grade. We now blame child care centers. We blame the kindergarten teacher, the first, second, third, fourth, or fifth grade teacher because Johnny cannot read or Johnny is not performing well.

As I said, too often the problems occur long before a child reaches school age or enters a child care center. We need to be a bit more realistic about what we can expect by testing kids all the time, at some significant cost, as a mandate.

Accountability standards have been improved. I am willing to support some of those. These are the same accountability standards that have been developed, frankly, over the last few years. JEFF BINGAMAN, my colleague from New Mexico, has been the principal author of legislation to improve accountability standards that will get us closer to a better way of getting schools to live up to the obligations they bear for their students and families who send their children to these schools.

Today's children are part of the first generation that is being raised in a truly global world. Nothing we do this year or in the coming years is more important than how we go about providing for our children's education. If we succeed in this endeavor, our country's future will be very bright. If we do not succeed, it is going to be bleak.

With that in mind, I believe we have much work to do as we prepare to take up the Elementary and Secondary Education Act. If this debate turns out to be a feeding frenzy with literally dozens and dozens of amendments being proposed every 5 minutes, with Members having little knowledge of what they may do, we do not know what we are going to produce.

Since we only deal with this once every 5 or 6 years, we ought to take some time and pull this together and come forward with a bill that truly recognizes and reflects bipartisanship, that includes the ideas of people who spend a lot of time thinking about how to improve the quality of education in our country, rather than one that is a jump ball that could end up doing a lot more damage despite the press releases

and pats on the back we give ourselves on how we judge whether or not we have lived up to our obligations.

The first issue we have to talk about candidly is the funding of these programs. If, as the President says, education is his top national priority—and I applaud him for that; this is what I call the hub of the wheel: education. If we get education right, then we increase dramatically the likelihood that every other issue will be dealt with intelligently, and we can build public support and come up with good answers.

If, in a democratic society, our education system begins to crumble and fall apart, then our democratic institutions, in my view, begin to fall apart as well. Thomas Jefferson, 200 years ago, said that any nation that ever expects to be ignorant and free expects what never was and never possibly can be. If that was true at the outset of the 19th century, then it is even more profoundly true as we begin the 21st century.

Our children will not just be competing with each other—a child in Oklahoma competing with a child in Connecticut or a child in Louisiana competing with a child in New Hampshire—it will be a child in Oklahoma and a child in Connecticut competing with a child in Beijing, Moscow, South Africa, Paris, Berlin, and Australia. That is the world in which they will have to be able to compete.

What we do this year with elementary and secondary education will be how we begin the 21st century, giving this generation the tools it must have to succeed as a generation and to also perpetuate the vision and dream that each generation has embraced over our more-than-200-year history.

Funding is important. I happen to believe if elementary and secondary education is the top priority, then it ought to be reflected in the funding. We know we need approximately \$14 billion to meet the 6 or 7 cents out of every dollar the U.S. Government contributes to elementary and secondary education.

What resources will we devote to title I, the most important title of the Elementary and Secondary Education Act, the primary mechanism through which the Federal Government provides resources to help low-income schools improve student achievement, resources to pay for more teachers, new computers, curricula, and other reforms?

According to a study published this year:

Whenever an inner city or poor rural school is found to be achieving outstanding results with its students by improving innovative strategies, these innovations are almost invariably funded by title I.

The President's budget provides for an additional \$42 billion for all education programs over 10 years. That is approximately \$4.2 billion a year out of a huge economy, and I will speak to that in a minute. At the same time, the President's budget includes a \$1.6

trillion tax cut over that same 10-year period.

Think about this. The President said: This is my top priority. He has only been in office about 100 days: This is my top priority. All during the campaign: This is my top priority; \$4.2 billion a year versus \$1.6 trillion. The numbers speak louder than the rhetoric—much louder.

By the way, under the President's tax proposal, approximately \$680 billion will go to people who earn more than \$300,000 a year. Those are not my numbers; those are the President's numbers: \$681 billion will be going to people who earn \$300,000 or more a year. That is where the tax cuts go. It appears the President considers tax cuts for people making over \$300,000 a year to be seven times more important than increased funding for education in America.

I do not agree with those priorities. I do not think the President does, or at least he says he does not. And I know the American public does not either. In fact, 3 weeks ago, this party on a bipartisan basis showed it does not agree with those priorities either. That is why we supported the amendment of Senator HARKIN from Iowa to decrease the tax cut by \$450 million and devote that amount equally to education and debt reduction. That is why we supported the amendment of Senator BREAUX and Senator JEFFORDS to reduce the tax cut to provide funding for special education.

I suspect Connecticut is not different from Oklahoma, Minnesota, or Louisiana. When I go home every week and meet with the mayors or first-select people—forget about meeting with the superintendents of schools and the PTAs—I say: Tell me what you think are the top priorities. I am going back to Washington on Monday; what can I do to help?

The answer is: Special education. You guys promised 40 percent of the cost of this. You mandated it basically. You said: We will come up with 40 percent of the money for it. That was 25 years ago, and we have done about, at best, 11 percent. That money is not even included in the President's budget, although we force it down the throat of the administration.

Special education is critically important. Contrary to what some in the administration say: we as a nation cannot afford the increased funding for education, the Democrats are saying we can afford it if we really believe it is a top priority.

We are not talking about eliminating the tax cut. We are saying make a more modest tax cut and use some of those resources for making education the top priority that most people think it ought to be. I believe it is a priority to help children and communities by fully funding special education. I believe it should be a priority to provide children with afterschool programs to enrich their lives.

I have been willing to go along with the accountability standards. Some

testing may be fine. We will work that out. But I have asked the administration: How about school construction funds? That is something I really care about and I think a lot of parents do, too.

Mr. President, 50 percent of our students this morning went to school in a building built prior to 1950. Think of that: 50 percent of our elementary and secondary kids walked into a building that was built prior to 1950.

How about some resources for new school construction, wired to compete in a global economy, to have access to the great libraries and institutions all over the world? A kid who walks into a falling-apart building is going to get a falling-apart education. That is not any great leap of logic; that is a fact.

How about some resources for new school construction? How about the White House saying: We will go along with you on that? I say: You want me to support some of your ideas that I think are questionable at best. How about supporting my ideas and those of us who advocate funds for school construction.

Smaller class sizes: This should not take more than 5 minutes of debate. If a teacher is in a classroom and has more than 20 kids they are not teaching; all they are doing is managing chaos in most instances. The teacher cannot teach; the kids cannot learn. That is not a leap of logic; that is a fact. Every parent knows it; every teacher knows it. We do not need to do any studies; what we need is some resources to help poor communities across the country and others to come up with some resources so they can reduce class size and attract good people to the teaching profession.

We talk about the administration that says we want to test teachers every year or every 2 years. I wonder, if I said we are going to test all lawyers every 2 years or test all doctors every 2 years—how about testing every Senator for 2 years? What other profession do we mandate at the Federal level we are going to require testing every year?

If the administration tries to write that into the bill, I will not vote for it under any circumstance. That is punitive. It doesn't accomplish anything. It only creates great divisions within this country. It isolated the teaching profession.

There are ways of determining whether or not teachers are doing a good job. A lot of the States are doing a good job in making those evaluations. Test the new ones coming in and decide whether or not they can teach at all and use some of the creative methods developed to determine whether or not teachers are up to the job. This rush to test everybody, every year, is not a model of form.

We have asked for \$14 billion, an increase of the elementary and secondary education authorization. I don't think that is too much. I don't think it is too much to demand in the context of a \$1.6 trillion tax cut. I know many colleagues on both sides of the aisle agree

with me. That is why I will offer an amendment with Senator COLLINS of Maine to authorize full funding for title I grants to schools over the next 10 years. Congress must go on record in making that, not a tax cut for the wealthy, a top national priority. That is why this education bill must include class size reduction funds. No one questions that smaller class sizes and better teachers result in better student achievement. That is why this education bill must include school construction funds.

According to the GAO, the problem of inadequate, unsafe school facilities is a \$112 million problem. The average school student goes to a school built around the 1950s. There are issues far from being resolved. They are not being discussed in these negotiations. Come out to the floor, offer your amendment, and see what happens. You accept all of our provisions and we will have a jump ball over yours.

What happened to bipartisanship? How many times did I hear we would work things out? It is 50/50 here, almost 50/50 in the House. I heard the President say over and over again: I want to work in a bipartisan fashion. Bipartisanship means you take my ideas and we will see what happens to yours? That may be enough for some people; it is not enough for me.

This bill will not be voted on again for 5 or 6 years. For many, this may be the last time we get to express how public education at the elementary and secondary schools across the country ought to be dealt with.

We took 2 weeks on campaign finance reform. We took 2 weeks last year to name the Ronald Reagan National Airport. We can take a few weeks to try to get this right. The American people expect nothing less. I remember the days, not that many years ago, when an elementary and secondary education bill passed this Chamber by votes of 92-6, 96-4. Today we ought to try to achieve the same results and to truly work to include these provisions which are necessary.

Democrats support real increases in proven programs. Yet the President, who says education is his top priority, would provide inadequate increases, \$4.2 billion each year over the next 10 years, in a budget where he advocates a \$1.6 trillion tax cut.

We can do better than that. I know our colleagues agree with that conclusion. That is why this education bill must include construction funds, include class size reforms.

We have to speak with a clear voice and build consensus. We are not there yet. In my view, we ought to be. But we are a long way from achieving the kind of consensus that those who have been out there suggest we are on the brink of; we are not. We may have to take some time before this is resolved.

I intend to be heard on these matters. I don't want to see a bill come up which will turn into a mess out here that allows these ideas to go down the

drain and the President claiming a bipartisan achievement because a few Democrats go along with something that isn't adequately funded, doesn't provide for the true reforms that are needed, and we end up doing some real damage to kids, and then build a consensus that our public schools have failed for this country and you have to walk away from it. That is my fear of what will happen down the road and we will look back to these days and rue the fact we didn't try to come together with a truly compromised bill that reflected the attitudes of all people in this Chamber and particularly the values and aspirations of the people we represent.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I rise to add my voice to my distinguished colleague from Connecticut and to thank him for his outstanding leadership. Senator DODD and my staff have been enthusiastically involved in this particular debate. As a member of the committee, he has been a tremendous voice for education reform. I acknowledge the work Senator DODD has done with many of our colleagues on this issue and to say how much I agree with all of the points he has raised. I will join with him in as many hours as it takes through this week and the next week to try to bring some of these points home to our constituents and to the country at large.

I thank the Senator again for continuing to keep Senators focused on not only the increases in investments that we need in education but the targets of those investments to reach the children who need the most help, whether in Connecticut, Louisiana, Oklahoma, or other States, for whom we are fighting. I thank the Senator for that.

Mr. DODD. I thank my colleague, and I admire her work. She has been at these issues for a long number of years both in her home in Louisiana before she arrived in the Senate and as a Member of this body.

Ms. LANDRIEU. Let me follow up by making a few points. The President is right about one thing. That is, simply throwing more money at the problems facing our educational system in America will do little to create the type of reform necessary to move America forward in the new global economy.

However, conversely what is true, passing new mandates and new accountability and new standards and new goals for our students and our teachers and our communities, without that important and strategic and significant new investment in education, is a hollow and an empty promise.

I call attention to a wonderful ad that caught my attention a couple of weeks ago. It was put out by the Business Leader Council. We do a lot of talking in this Chamber about budgets, taxes, futures trading, commodities trading, and economic issues.

With my compliments to the Business Roundtable, this is the ad they ran. It said under the picture of the bright-eyed optimistic and hopeful children:

Our Nation's classrooms are America's true futures market, where a commitment today will yield individual and national prosperity tomorrow.

Let me repeat that:

Our Nation's classrooms are America's true futures market, where a commitment today—

Not next year, not 5 years from now, but a commitment today—

will yield individual and national prosperity tomorrow.

I hope my colleagues can see the faces of these children. What jumped out at me from the picture is the hopefulness in these children's eyes. They look like children in every classroom in Louisiana, with smiles on their faces, with hands in the air, anxious to answer questions presented by their teachers, with hope and optimism for the future.

The debate we will have in this Chamber and with our colleagues in the House will determine whether these children walk away with supplies or whether they walk away with heads hung, shoulders stooped down, opportunities taken from them because we have made the wrong decisions on this floor.

That is what this debate is about. This budget is not just about numbers. It is not just about hard, cold facts. It is not just about statistics. It is about hearts, minds, souls, and opportunities for our children and for our families and for this country. I am afraid if we don't come to terms and make the best decisions we can, and good decisions this week, these children and millions and millions like them, and their parents, are going to be sorely disappointed.

Let me try to explain. One of the major debates we are preparing for is what kind of investment in education should we be making. The President has recommended what might seem to be a lot of money. When we talk about billions and hundreds of millions of dollars, those are large figures and people's eyes tend to glaze over because that sounds like a lot of money. We are debating an underlying bill, a reauthorization of elementary and secondary education, that is going to fundamentally change the way the Federal Government helps local and State government.

We are saying, instead of just sending you money and crossing our fingers and hoping for results, we are now going to tie the resources in a real and meaningful way. When we give you these moneys, we are going to expect real performance, real excellence, and there are going to be real consequences for failure. Schools may have to be reconstructed, reorganized; principals and teachers may need to be removed and we may need to have a new leadership team come in. Students are to be

tested not once every few years but every year. Teachers are going to be held to higher standards because we believe in excellence. We do not want to leave any child behind, and we want to make sure that, whether you are in a poor rural area or a poor urban area or in a wealthy urban area or wealthy rural area, that you have a chance, as a child, to get an excellent education.

We are also going to give local officials more flexibility. We are not going to micromanage from Washington any longer. We are not going to specifically mandate that you have to cross every t and dot every i. We are going to be less focused on compliance and more focused on performance.

I agree with the President that all of those things are important and that we should change the way Washington funds our elementary and secondary education system. But doing that and yet not providing the money at a high level for our schools to be able to do that is an empty, hollow promise to our children and an unfunded mandate of gigantic proportions to our local governments and to our States.

It would not be right. It is not what the American people want. It is not what we should do. That is what this debate is about. Yes, we want reform, but we must have the significant, historic, huge investments necessary to make those reforms work.

Let me say to those who might say money doesn't matter—yes, it does. Testing costs money. Improving teacher quality costs money. Fixing leaky roofs costs money. Buying textbooks and computers and training teachers and students costs money. You cannot just wish it. We can be more efficient. We can spend our money more wisely. But in this year, in 2001, as we begin this new century, it has to be a combination of new reforms and new investments.

Let me share some interesting poll numbers that came out because people might say: Senator, you feel this way, but does anybody else feel this way? Senator DODD feels this way, but does anyone else?

This is a Washington Post poll issued today. The question was very basic. It says, Is the Federal Government spending too much, about right, or too little for education? Mr. President, 60 percent of the public says we are spending too little; 60 percent of Americans are saying we are spending too little at the Federal level for education. Only about 24 percent say "about right" and 8 percent say "too much." So 60 percent of Americans.

When we talk about at the State level, Is your State government spending enough on education? Mr. President, 61 percent say the State governments are spending too little on education. At the local level you can see that number drops fairly significantly because we are paying a greater portion at the local level.

This chart indicates to me that at the State level, but particularly at the

Federal level, people across the board—and I think this was across regions and economic income levels—suggest our current investment level is not sufficient to meet the challenges.

Let me also share with you, from the same poll, a question: Which is more important to you, holding down the size of government, providing needed services, or both?

Mr. President, 31 percent said "holding down the size of government," 62 percent, "providing needed services." Does that mean the American public supports sort of a runaway government? Obviously not. But do they support a government that has efficient programs and effective programs and also makes investments in areas that matter to them—education being one of them? Absolutely.

Let me show you the second chart that shows what their priorities are. This is what the American people said in the same poll. If given the chance, how would you spend your money and what are some of your most important concerns? Education is at the top of the chart, 47 percent. The next closest is 34 percent, Social Security and Medicare, making sure the resources are there to provide for Social Security and strengthen it, and provide, hopefully, for reforms in the Medicare system, and an expansion for prescription drugs. Health care is important also, at 29 percent.

I want to focus on this area—education. The President, when he was running for President, said it over and over again: Let's not leave any child behind. I agree with him. Many, many people in this Chamber, both on the Republican and Democratic side, do. But that is just a slogan unless it is backed up with real dollars that actually move children forward, that give them hope, that fulfill a promise for life to help them develop their skills and their abilities.

Again the Business Roundtable said:

Our Nation's classrooms are America's true futures market—where a commitment today will yield individual and national prosperity tomorrow.

Let me share, for the record, a specific example from one of Louisiana's industries, Avondale Industries. It is one of the largest employers in Louisiana, an industry that I certainly try to help and support, that is building some of the finest ships for our commercial shippers as well as our national defense. It does a magnificent job, let me add. They are now part of the Northrop Grumman Corporation, which is one of the five remaining facilities left in this whole country capable of building large combat vessels.

My staff called them and asked them if they could send us some applications for jobs that they might periodically put out to try to hire some of the individuals necessary for this work. These positions range from electrical engineer to data entry clerk. But the one requirement that comes through in all of these applications is that a high

school diploma is necessary. What that translates to is really an 11th grade or 12th grade proficiency in math. Many of these jobs are related to calculations, to making analytical decisions based on plans and graphs, as you can imagine.

Right now in our Nation, according to the latest data, only 30 percent of our eighth graders are functioning at the proficient level in math. Here is an industry in my State that could employ thousands of individuals, that puts out applications daily for a variety of different jobs. The minimum requirement is a high school education. Part of that is functioning just at the proficient level—not outstanding, not the top 1 percent in the Nation, just at the proficiency level for math.

I have to stand here as a Senator and look these industry people in the eye and tell them that we can only create a school system that can, at best, give them 30 percent of the eighth graders who can fill out the application. This is not going to work. It is not going to work for Louisiana. It is not going to work for Connecticut. It is not going to work for New York. It is simply not going to work. And a budget that does not fund more science teachers, more math teachers, makes a real investment to give those kids an opportunity, is not going to help them, their families, or Avondale.

I know the last administration asked me—it was a hard vote and I did it—to vote for 50,000 H-1B visas to bring in people from outside this Nation to fill jobs because we were not able to find people in America to take these jobs. I cast that vote, but I will tell you I thought about that vote, because when I cast that vote it allowed high-tech industries and some industries such as Louisiana's shipbuilders to be able to hire people from other nations.

I go home and drive through neighborhoods, walk through communities, sit and talk to young people who have been left out because we have not provided them the kind of education they need. They have to step aside and watch someone from another country walk past their door, fill out the application, and take the job that they could have had if we had had a school system that could have given them the education necessary for the job.

That is a tough thing for a Senator to have to do because I do not represent any other country; I represent the United States, and I represent Louisiana. I represent cities and communities where there are thousands of people who cannot pass 11th grade math because we will not put the resources and the money where they need to be to give them the chance. Are they willing? Yes. But we have not done what we need to do.

So my message to the President and to my colleagues is, let's do it while we can. Perhaps when we were running terrible deficits and running up large, large bills, you could say: Look, we would love to do it but we simply can't

afford it. We are running huge deficits. We can't keep spending money we don't have. Money doesn't grow on trees. We can't tax people any more. So I am all for that and when we have to cut back, let's do it.

But now that we have a historic and significant surplus, now I am listening to people say: We have the surplus; we have the money; it is sitting there in the bank, but we don't want to spend it on these children. We don't want to spend it on them. They are not our future. We want to give a huge tax cut, and we don't want to make any investments in education.

I am not talking about the same kind of investments for the same mediocre results. We can't keep doing it 3 percent a year or 4 percent a year or 5 percent a year, which is what the President is recommending, and think we are going to get a 50-percent increase in results. It doesn't work that way.

We have to make an extraordinary commitment now and put our money where our mouth is to reach the children that we need to reach through our schools. Yes, reform our schools with strong accountability standards matched with a true investment and targeted to the kids who need it the most.

We do a great job sometimes in Washington inventing new programs, and everything sounds great. And every year we invent about five, six, or seven more programs. We need to get back to the basics and fund through elementary and secondary education a significant amount, if not tripling the amount of money, for title I—flexible grants that go to places in Louisiana, New York, Connecticut, Alabama, New Mexico, or where the communities can't raise the tax dollars because they are relatively poor or have a limited capacity.

The Federal Government can honestly stand up and say, whether you are little girls in Oregon or you were born into a poor, rural area or a poor urban area, it doesn't matter because we have a system at the Federal level that ensures, because of the way we fund education, that the school you go to will help you pass and exceed that proficiency in math so that you can get a job and we don't have to import someone from another country to take the job while you collect welfare or while you have to live on food stamps or while you tell your children they cannot ever live in a home of their own because you can't bring home a paycheck enough for you to be able to live in a home of your own.

I am not going to say that as a Senator because the money is in the bank. The question is, Are we going to write the check for the kids who need it or to our schools, or are we going to squander the surplus and not make the investments that we need?

I will come to the floor every single day this week and next week, as long as it takes, because I know as a Senator from Louisiana, particularly, my

State's future rests in large measure on how our schools can function so that every child in every part of our State can get the quality education that in some small way perhaps will make up for what they do not always get in their homes.

I don't know what kind of miracle schools can achieve. I know schools can't do it without the parents. I know there is a limit to what schools can contribute to a child if they are not getting that support at home. But I am tired of making excuses and hearing excuses such as this kid can't learn because this child only has one parent or this child can't learn because this child is poor or this child can't learn because this child is a special education student.

I am here to tell you that every child can learn, but it takes a good system and good investments from the Federal Government, the State government, and the local government working in partnership with parents.

I am about fed up with the excuses because I want to support trade and globalization, and I want our businesses to have the workers they need. I have to fight for children to have the opportunity. I urge our President to please work with us. Work with the Democrats. We don't want to waste money. We want to make a significant investment in education, coupled with accountability, new standards and exciting possibilities for our Nation. I most certainly want to work with him. I believe we can make a real difference in Louisiana and Texas and many places throughout our Nation.

In conclusion, I refer to the vision of Lyndon Baines Johnson when we created the Elementary and Secondary Education Act—a vision that would make the dream of a quality education a reality for all children regardless of their race, their socioeconomic status, or their gender. This is what America is about. It is about opportunities.

In many ways, while education begins at home, it is most certainly enhanced at the school level. We are shortchanging ourselves, shortchanging our children, and shortchanging our future to do anything less.

I will end saying, again, I am going to be down here every day until we complete this debate, urging my colleagues to push hard for a significant investment and targeting that investment to the schools and communities that need the most help, and also helping all of our districts to achieve success in educational excellence.

I yield any remaining time.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, before my colleague from Louisiana leaves the floor, I thank her so much for saying what the issue before us really is. We all agree that we need to make children our No. 1 priority. We all agree that there are things in our schools that need to be improved, and we need

to, frankly, underscore the things that are working. We don't want to leave any child behind. That is President Bush's comment.

When we get the chance to have an education bill brought here with our friends, Senator KENNEDY, Senator JEFFORDS, and others, we want to make sure it is not just an empty promise. I think she has fleshed this out. I thank her very much.

In California, we test every year. It is not a big deal. We have that reform in place. But if you test them and find they are failing and you don't have anything in place to help them after school or during school to give them the smaller class sizes, to give them a facility that feels good, looks good, and is safe for them, they are not going to improve.

When this education bill comes up, I predict that the Senate will take that Bush bill and change it dramatically in terms of the resources we put behind the rhetoric. There are two R's. Usually they say there are three R's. But there is rhetoric here, then there is requirement. Those are the two R's. The rhetoric is fine. Let's get the requirements in there so that we can meet the needs of our children. There is a third R—results. That is what we want to do.

How much time do I have? Is there a limit on time?

The PRESIDING OFFICER. Under the previous order, there are 10 minutes per speaker, and the Democrats have 40 minutes remaining.

Mrs. BOXER. I would like to know when I have 1 minute remaining of my 10 minutes.

The PRESIDING OFFICER. The Chair will notify the Senator.

Mrs. BOXER. I thank the Chair.

#### THE PRESIDENT'S BUDGET

Mrs. BOXER. Mr. President, I have been amazed at the first 100 days of the Bush administration in relation to the environment issue. When I say the environment, I don't just throw that word out. I am talking about air, I am talking about water, I am talking about drinking water, I am talking about parks, and I am talking about cleaning up Superfund sites and brownfield sites. The fact is, we have a situation on our hands that is going to be very dangerous for our people.

Why do I say that? I say that for a couple of reasons. First of all, we see rollbacks on very important issues. We have all heard about the President backing off the pledge he made in the campaign to deal with CO<sub>2</sub> emissions which cause major problems in air quality. We know he has backed off that.

We saw him evaluate a number of rules that were put in place under the Clinton administration. The one that I cannot get over—there are a number; I don't have time to get into them—is the one dealing with arsenic. We know a few things about arsenic. It is unsafe at any level. We know for a fact that at

the current level of arsenic that is allowed in our drinking water, if you drink out of that water supply, 1 out of 100 people will get cancer—not may get cancer, not might get cancer, but will get cancer. We know this to be the case.

Yet this administration, in violation of the law, in my opinion—that will be tested in the courts—reversed the Clinton administration rule on arsenic to reduce the parts per billion that would be allowable, where the Clinton administration had gone from 50 parts per billion to 10 and he put us back at 50 parts per billion.

Let me list some of the countries that have a standard of 50 parts per billion. I will give you an idea of the countries that allow 50 parts per billion of arsenic: Bahrain, Bangladesh, Bolivia, China, Egypt, India, and Indonesia. That is an example.

Let me list some of the countries that have the 10 parts per billion: European Union, Japan, and Jordan.

I have to say that we owe our people safe drinking water. If we owe them nothing else, we can argue a lot of things, but the Federal Government needs to make sure that our people are safe.

What we have is a rollback on a number of fronts. I am just talking about the arsenic one today. There are others. I will save them for another day. But in addition to this, in order to pay for his tax cut to the wealthiest people who do not need it, those over \$300,000 and \$400,000 a year, those over \$1 million, \$2 million, or \$1 billion a year, in order to pay for that tax cut, some of those people are going to get back a million dollars a year. This President has cut back environmental enforcement.

Let's take a look at the key cuts that he has put in his budget. The Environmental Protection Agency, a \$500 million cut; the Interior Department, a \$400 million cut. The clean energy and nuclear contamination cleanup—you have DICK CHENEY out there saying we need more nuclear power. He has not even figured out a way to clean up the nuclear waste we have. They have cut \$700 million, and they want more nuclear power, which is dangerous. There is a conservation program in the Agriculture Department. They cut that \$300 million. So we see a total of \$1.9 billion in cuts to pay for a tax cut that favors the top 1 percent, leaving out 99 percent of the people.

What does that really mean? What does it mean when you cut environmental enforcement? Let me get into that. It is very serious. What happens is, we are going to see fewer inspectors out in the field and fewer technical experts on the ground. We are going to see that the Federal Government will no longer be able to be a watchdog for some of the most serious threats to public health and the environment.

I want to give examples because people have seen the movie "Erin Brockovich." We all saw what hap-

pened to people in a small town in California when that particular water system had an excess of chromium 6, which is, by the way, very dangerous. It is very lethal. By the way, there is no Federal standard for chromium 6 in water. I have a bill that would place into law a Federal standard, but we hear silence from the Bush administration on that. Instead of looking at the new threats, they are taking the old threats and making them more threatening, such as with arsenic, by rolling back the laws.

When the American people know about this, I think they are going to be very upset. You should not have to be able to afford bottled water in this country to be safe. You should not have to worry that your child is going to get cancer as a result of drinking from the water tap.

Oh, they say, it costs money to clean it up. As my kids would say when they were young: Dah. Yes, this is so. It costs money to clean up an environmental problem. Do we have it? Yes, we do. Why not cap the tax refund people earning over \$1 million will get? Every year they earn \$1 million. Cap their tax refund. Take the money and clean up the water. Get the arsenic out. Help the local people.

Mr. President, I ask unanimous consent for 4 additional minutes.

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

Mrs. BOXER. But, no, let's look at these priorities. The President wants to bring an education bill to the floor. My colleague from Massachusetts is our real leader in the Senate, and he is going to talk about it. There are some good ideas that have been carved out between the parties. There is not enough money behind it. It is a false promise.

A kid takes a test and fails the test. What are you going to do for the kid? You can test him every 6 months. Why not test him every 2 months? What good is it if there is no one available to help that child learn? So when the President says, "Leave no child behind," where is the beef?

When you look at the environmental budget—and you have to remember the President stood in front of some beautiful lakes and streams and rivers and said he was an environmentalist—how can we have prosperity when our environment is dirty? Yet we look at the budget, which includes the priorities of this President, and you see nothing but destruction.

I have seen it happen in California in El Segundo. We had a refinery that was releasing air pollution that aggravated very badly those suffering from asthma. People were very sick. There was a lawsuit that was brought. EPA supported it. Why? They had enforcement capability.

Chevron's own records show that it simply did not use the pollution control technology that was required. There was not any new innovative technology. It was already approved.

They agreed to a huge settlement, one of the biggest in history. Because of the Environmental Protection Agency, the people got help. Chevron is going to help build and operate a health clinic to take care of those people who experience health problems.

EPA has the legal authority needed to ensure that serious violations are stopped and that polluters are held accountable—which can help deter a company from disregarding environmental protections in the future. EPA's legal authority and resources are most often needed in cases like this one, where the issues are very serious and the company has substantial resources. It was not until the Federal Government filed suit against Chevron that the company agreed to comply with the law.

In another example, the United States, including EPA, Department of Interior, and Department of Commerce, as well as several California state agencies, reached settlement worth an estimated \$1 billion with Aventis to clean-up the Iron Mountain Mine located near Redding, CA, in October of 2000.

The State of California requested help from the Federal Government in this enormously complex case explaining that they had "exhausted all practicable enforcement action against the potential defendants."

Prior to the settlement, this mine discharged an average of one ton of toxic metals per day into the Upper Sacramento River, a critical salmon spawning habitat and a central part of California's water system. As recently as 5 years ago, the site dumped the equivalent of 150 tanker cars full of toxic metals into the Sacramento River during winter storms. At one point, workers had left a shovel at the site in a green liquid flowing from the mine and it was half eaten away over night.

I have a photograph of a disposal area on the site that gives you a feel for just one part of the damage at this very large and complex site.

This site dumped approximately one quarter of the total copper and zinc discharged into our nation's water from industrial and municipal sources throughout the United States.

This case is another good example of the kind of cases a strong EPA enforcement program is needed for—sites that are large, that can overwhelm State programs, even in a State with a well developed and active environmental program like California, and sites with very large corporate interests involved.

When you take a close look at EPA's past enforcement efforts you see who benefits from cuts in enforcement. Serious polluters can take big hits to their pocketbooks when they are caught. A cut in enforcement is worth a great deal to these violators, but enforcement cuts come at the expense of public health and safety as well as the environment.

The President's proposed budget cuts the heart out of agricultural conservation programs, like the Wetland Reserve Program which is eliminated—cut from \$162 million in fiscal year 2001 to \$0 in fiscal year 2002. This program was first authorized in 1990, during the first Bush administration, to provide long term protection for wetlands.

The President has collected an incredible assortment of cuts in environmental protection—all sources for the tax cut that fails to take into account the priorities of the American people, like conservation and environmental protection. Before deciding on what the "right size" of the tax cut should be, the President should consider the impacts of these cuts. California provides some valuable examples of the conservation benefits we will lose if the President's budget cuts are implemented.

The Wetland Reserve Program in California has helped restore a portion of the 4.5 million acres of wetlands lost to agricultural conversion and development in our State. In addition to providing habitat for migratory birds, other wetlands restoration benefits include improvement of water quality, flood control, sediment abatement and recharge of groundwater. California is the primary path of the "Pacific Flyway"—approximately 20 percent of all waterfowl pass through California's Central Valley. At the present time, the federal Wetland's Reserve Program, zeroed out in the President's budget, is the largest wetland protection program in California.

More than 60,000 acres to date have been protected in this program in California. There are more than 100 applicants on a waiting list to protect and restore their agricultural lands. One of the strongest parts of the program are the partnerships with not-for-profit organizations like California Waterfowl and the Nature Conservancy, as well as the private landowners themselves.

I have a photograph of one of the successful restorations accomplished by a conservation easement under the Wetland Reserve Program. The site is in Colusa County, CA and was enrolled in the Conservation Reserve Program in 1992. It is approximately 195 acres of seasonal wetlands that provides both winter and brood habitat for migrating and nesting waterfowl, shorebirds, migratory songbirds, and other wildlife. This easement is part of a 1,000-acre complex of wetlands and upland nesting habitat adjacent to the Sacramento River and lies in the middle of the largest migratory waterfowl corridor in North America. It is owned by the Audubon Society and acts as a sanctuary for wildlife.

Given the value and community support for agriculture conservation programs, I simply cannot see how the President can justify eliminating these kinds of programs to increase his tax cut.

Mr. President, let me sum up. We have a tax cut that was plotted as a

campaign promise 2 years ago because Steve Forbes was in a debate with George Bush and said: I am for this \$1.4 trillion tax cut. Times have changed. The economy has turned around since George Bush has become President. We have problems. People are not optimistic about the future of this country.

What does that mean? It means that a sensible person—this is my view—would sit back and say: I want to do this, and it is on my agenda, but maybe I can't do it all at once. Maybe I will cut it in half. Maybe I am going to invest in the people, invest in children, so that we have an afterschool program for every child, so that we have safe drinking water for every child, so that we know people are not going to get sick from air pollution.

We talk about our kids. Every one of us cares about kids. That is one of the reasons we are Senators. Do you know the leading cause of admissions in hospitals for children is asthma? They miss school. So you have to connect the dots. If you take out massive sums of money that you are going to transfer to the top 1 percent of income earners, forgetting 99 percent—everyone else—really, you have given 43 percent of the tax cut to the people in the highest income, and then you say you do not have any money to enforce the Clean Air Act or the Clean Water Act. You roll back the laws on arsenic. You take away the money to clean up nuclear contamination, while you are calling for more nuclear plants. You bring out an education bill that is so short of money that it is an empty promise and an unfunded mandate for our States. It is an unfunded mandate because we are forcing them to test, and yet we do not have enough to help those children.

Connect the dots. If you build a budget around an unrealistic, dangerous tax cut, it is going to take us back to deficits. You are not going to be able to pay down the debt. You are not going to be able to do the basics for our children. You are not going to be able to clean up the environment. And you have a problem. It is no wonder this economy is a little at sea, because this budget does not add up and it does not make sense.

Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### THE ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. KENNEDY. Mr. President, I would like to spend a few moments this afternoon to bring our colleagues up to date on where we are on the Elementary and Secondary Education legislation. Over these past 2 weeks we have had an ongoing exchange of ideas and views with the administration and our colleagues. We have been trying to continue to find common ground and to make important progress.

We are very much aware that this is an issue that is not only a high priority

for the President of the United States, but also that it is a high priority for every family in this country, and certainly among the highest priorities for those of us on this side of the aisle.

We welcome the fact that we have a President who has placed education at the top of his agenda. Eight years ago when the Democrats lost control of the Senate, one of the first actions the Republicans took was to rescind some of the funding of elementary and secondary education. We also fought against attempts by our Republican friends to abolish the Department of Education. But that was then and this is now. We welcome the opportunity to find common ground so we can move ahead and make a difference for the children in this country and for the families across the Nation.

As we start off our debate on this issue, we have to understand the importance of preparing a child to learn, even prior to the time they enroll in elementary school. This is an area of very considerable interest on both sides of the aisle.

Our colleague from Connecticut, Senator DODD, has been a leader on these children's issues. Senator JEFFORDS has made this a special area of concern. And Senator STEVENS has been very involved in early intervention for children. It is enormously important to continue to ensure a national commitment to have the nation's children ready to learn, as we did and as the Governors did in Charlottesville some years ago.

I am hopeful we will be able to do that in a bipartisan way in Congress with solid legislation. We still have a ways to go, but we have made progress. We also have to understand the very serious and significant gap that still exists with regard to preparing children for grades K through 12th.

We are still falling behind. We fund Early Start programs at approximately 10 percent for the earliest types of intervention. And for programs from birth to 3 years of age, we are down to either 2 or 3 percent. This is an area of enormous importance. We are trying to help many children across the nation with this program. Hopefully, it will make a difference.

Unfortunately there are going to be many children who will still fall through the cracks unless we come back to revisit public policy and resources for early intervention programs.

It is all part of a mosaic. We must give our full attention to these efforts which are extremely important in preparing children for elementary school.

I was disappointed that the administration zeroed out a very modest downpayment in the Early Child Development Program that had bipartisan support in the 106th Congress from Senator STEVENS, Senator JEFFORDS, Senator DODD, Senator KERRY, many others on the Health Education Labor and Pensions Committee, and myself.

We have reached some very important agreements on the reauthorization of the Elementary and Secondary Education Act, however, differences over funding remain. We are in the process of negotiating language for the legislation, and I expect that the earliest we could have this legislation is late Wednesday or Thursday.

Money is not the answer to everything, but it is a pretty good indication of the Nation's priorities.

Under the President's bill, there is a reduction in resources of \$69 billion for the Nation. However, we will only see an extremely modest, somewhat less than \$3 billion, increase in the funding for programs which are targeted on the neediest children in this country. It is that kind of disparity which is of considerable trouble to many of us.

We agree that every child should be tested each year in grades three through eight—not as a punishment, but so parents and educators know where every child stands and what more needs to be done to help them improve and achieve their full potential.

We agree to create tough standards for schools and hold them accountable for improving student achievement.

We agree that where schools fail, bold steps are necessary to turn them around, including requiring alternative governance arrangements.

We agree parents deserve more public school options to ensure their children get a quality education.

We agree that literacy programs should be expanded so every child learns to read well in the early years.

We share these priorities with President Bush and believe these reforms will make a difference in our communities.

We are still working on how to increase the flexibility while maintaining targeting and accountability. It is important that any additional flexibility is tied to strong accountability, and strong targeting to the neediest communities. We want to ensure that States and school districts do not ignore the children who need our help the most.

We are also working hard to increase accountability and support for teachers. States and districts should be held accountable for putting qualified teachers in every classroom, particularly in the neediest schools. They should also have to provide professional development and mentoring support for teachers so that teachers can make these new tough reforms work.

We are also working to ensure that after-school programs are expanded so that more children have the opportunity to catch up with their schoolwork if they have fallen behind.

We are working to ensure parent involvement and that parent involvement is a cornerstone for all the new reforms.

We are working to ensure schools and districts and States are held accountable to the public through mandatory report cards that include important in-

formation about how well their schools are doing.

We are working to ensure that the Class Size Reduction Program is continued so children can get the individual attention they need to succeed.

We are working to continue the School Renovation Program so communities can ensure children are learning in safe, modern school buildings.

We hope we can address all these issues and come to a bipartisan consensus on them.

We must also know that reforms minus resources equals failure. You cannot say education is your top priority and not put enough resources in the budget to do the job.

We are disappointed in the President's budget. According to OMB, President Bush's budget contains only a \$669 million increase next year for elementary and secondary education programs. That is an increase of one-fifth of one percent of what we are spending on our public schools today at the national, State, and local levels; we are spending \$350 billion a year.

Testing and accountability are important, but they are only the measures of reform, they are not reform themselves.

Investment without accountability is a waste of money, but accountability without investment is a waste of time.

We need the resources to make sure that slick, easy, and quick tests that have mostly multiple choice questions and which cost \$3 or \$4 will not be developed. We want to make sure we have a quality teacher teaching a quality curriculum to a quality test. That takes investment.

It is not just the money, it is the resources to do the job: well-qualified teachers, thoughtful tests, good curriculum, the examination of the tests and reporting back in a timely way.

At the current time, we are meeting only about 20 to 22 percent of the supplementary services that are necessary for children. If we are not going to have a significant increase in resources, we are not going to be able to provide the good quality supplementary services for those children who need them.

We know with a very modest increase—about \$1 billion—we could provide 1.6 million children with quality supplemental after-school academic opportunities. Even if you take what was paid last year and adding about \$850 million this year, we are still only reaching about a third of all latchkey children, ages 8 to 13, who go home alone in the afternoon.

Resources are important because they are translated into substantive issues that make a difference in advancing the quality of education for children.

This chart compares the investments in ESEA programs for fiscal year 2001 to the Administration's 2002 proposal. In 2001, funding for ESEA programs increased by \$3.6 billion or a 24.2 percent. This Administration has requested an

increase of \$669 million, which is only a 3.5 percent increase.

Even with their willingness to go higher, it does not come close to the increases in 2001. This recognizes that we are only reaching one-third of all of the children who are disadvantaged or eligible under the Title I program.

Look at the appropriations for the Department of Education. In 2001 there was an 18.2 percent increase, \$6.5 billion. The Bush budget for all the education, is increased by 5.9 percent or \$2.5 billion.

The Department of Education over the period of the last 5 years shows a 12.8-percent increase in resources. However the proposed budget starts with a 5.9-percent increase in the Department of Education.

This is a time with record surpluses, when we are going to give back \$69 billion in tax reductions. There is a great deal of talk about investing in education, but we are still not putting in the resources.

This chart is the State of Texas education equation. It shows that from 1994 to 2002, school funding went from \$16.9 billion to \$27.5 billion, a 57-percent increase under Governor Bush. Interestingly, we see an alarming increase in student achievement, from 56-percent of the students performing at a proficient level on the State test in 1994 to 80-percent of students performing at a proficient level in 2000—showing you cannot educate on the cheap.

The next chart shows the difference between the proposal the Democrats support and the Bush budget. We know there are 10,000 failing schools that need to be turned around. The best estimate is that it costs \$180,000 to turn around a school. There are 57 different, accepted, scientifically evaluated ways in which schools can be restructured and organized that have been found to have been successful. Taking 10,000 schools and \$180,000—that is, \$1.8 billion—to turn around the schools that we know are in need. With the other proposal, effectively, we are leaving 7,556 schools behind.

We know what needs to be done. We know we have failing schools, and we have ways of turning them around. We know we have unqualified teachers, and we know what needs to be done to make them qualified. We know we have an inadequate curriculum, and we know what needs to be done to strengthen curriculum. We understand what will benefit the children and the teachers and we know how to strengthen their needs with supplementary services.

If we don't have the supplementary services, trained teachers, effective tests, modern and safe schools, and smaller class sizes, then we are failing ourselves. We fail ourselves when we fail to provide the resources to ensure the nation's children with a sound education.

Finally, I hope during this debate we have some discussion about the issue of IDEA. Full funding for IDEA will help

immeasurably in allowing special needs children to get additional resources.

I hope we can move ahead with ESEA and get the commitment of essential resources to meet these important needs. In doing the job, we need to give children across the nation the best opportunities which we all understand they deserve.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Minnesota.

Mr. WELLSTONE. I ask unanimous consent that Senator CLINTON speak next for 15 minutes and I be allowed to speak after for 10 minutes, and the Republicans then be allowed to have the time they need to respond.

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

The Senator from New York is recognized.

Mrs. CLINTON. Mr. President, I thank my distinguished colleague from Minnesota. I associate myself with the remarks of the education Senator from Massachusetts who so eloquently laid out our dilemma, the dilemma that will be occupying the Senate as we move forward on this very important debate.

People always talk about important debates, but it is fair to say as we debate, we will set educational policy for our Nation for the next 7 years. There is hardly a subject we can think of that will have more direct impact on our families, on our communities, on our economy, and especially on our children. We are setting the stage for determining how much we as a nation will do to make good on the promise of a quality education for all children, and particularly for our country's neediest children.

I first became involved in education reform back in 1983 with the issuance of the report called "A Nation at Risk," which was issued under President Reagan's watch. Many took that call to action very much to heart that we were a nation at risk. We began looking for ways to improve education, to provide more resources to provide more accountability measures. We have made progress over those last years.

When the Elementary and Secondary Education Act was last reauthorized in 1994, we sent a strong signal that although education was absolutely a matter of local concern, it had to be a national priority; that we all had to recognize we were failing our children by not providing adequate educational resources and by not expecting them to do the very best they could do. We put a high priority on academic standards, and we worked to help teachers and administrators, parents, and communities improve education.

The results of this strong Federal response to local and State educational demands has been heartening. Mr. President, 49 States plus the District of Columbia and Puerto Rico have developed State standards and are working

to implement them. These reforms are producing results.

We often only focus on the negative side of the ledger about how much we still have to do. I give some credit to the children and the young people, our students, and their parents, and especially their teachers, because we have seen progress. Reading and math scores for fourth graders in our highest poverty school districts have improved by nearly a grade level from 1994 to today. SAT scores are on the rise. More students than ever are attending college.

We cannot rest there. We know there is still far more to be done. We have too many children, particularly in our underserved urban and rural districts, who are not reading at grade level. We have too many children being taught by uncertified teachers, in overcrowded classrooms, in crumbling school buildings. We cannot stand by idly while these conditions persist. The issue is, what is the best way to address them? How better can we equip parents, teachers, communities, and our students to meet the tests of the 21st century?

I applaud President Bush for calling for greater accountability. I agree with him on the importance of that. I was among the very first in our Nation, in Arkansas in the early 1980s, to call for the testing of students and the testing of teachers because I believed then we had to know what we didn't know in order to make progress. We couldn't just pretend that everything was fine and engage in social promotion and not face up to the fact that we had children graduating from high school who couldn't read a job application. We had teachers who had been themselves passed through the education system who were unprepared to teach the substance of what it was they were assigned to teach.

Accountability is key, to me. I have been a strong supporter of that. In fact, I welcome the Republicans and I welcome the Bush administration which has gone forward with accountability measures that are like the measures Democrats have proposed for several years. Many on the other side of the aisle resisted such approaches for many years. In fact, they wanted to abolish the Department of Education. So I applaud my colleagues on the Republican side for the progress they have made in moving toward a common recognition that this is a national priority that must be beyond politics and partisanship.

The accountability that is in the bill that is proposed would ask that we test our children every year from third to eighth grade. That is designed to ensure that they are meeting high standards. But here is where the rubber really hits the road. If all we do is order more tests, if we do not combine those tests with the resources that are needed to help the children who have been left behind, then we will have, at best, a hollow victory and I believe, worse than that, we will have committed edu-

cational fraud on our children, our teachers, and our country.

The Bush plan orders more testing while providing only half the funds needed to design and implement these tests. What would this mean to the State of New York, for example? It would mean that of the \$16 million that is estimated to have to be spent to comply with these new Federal requirements, our State would only get \$8 million. So we would have to find 8 million more dollars, take it out of something else—from hard-pressed school districts, from teacher pay, from whatever other important objective we are already trying to meet. We should not be passing on an unfunded mandate to our States.

If it is a national priority, if it is a priority for this administration to order these tests, then the Federal Government ought to pay for these tests and make sure that, as the Senator from Massachusetts pointed out, they are good tests; they are quality tests; they are not just make-work kinds of tests.

Passing tough new accountability standards without the resources to help our schools and students is similar to handing out thermometers in the midst of an epidemic. The thermometers certainly can tell us that there are a lot of sick people, but they do absolutely nothing to help people get better. Unfortunately, the administration's proposal has plenty of thermometers but precious little medicine to help our schools improve. The administration has not even yet committed to providing the Federal funds necessary to marry accountability with student achievement.

We already know that despite the rhetoric, this is not an increase of more than 11 percent; it is only 5.9 percent because the administration tried to count money that had been appropriated last year. We are glad to have that money, but let's have honest accounting about how much more money is going in. A 5.9-percent increase barely keeps up with inflation and population increases.

What also does it mean on the school level? Let's focus and ask ourselves: If we pass this accountability measure, and everybody goes home, pats themselves on the back, there is a big press conference, and a big signing ceremony, what have we really done to help the districts such as the ones I worry about in the State of New York?

In New York City, for example, we are facing a severe teacher shortage. The city will need to hire approximately 40,000—that is right, 40,000—teachers over the next 4 years. In addition, the district is under a court order to place those certified teachers it hires in the lowest performing schools. That makes sense because right now we have uncertified teachers, ill equipped to teach, teaching the children who need the best teachers. So the idea, which is a good idea, is let's put the certified teachers in the schools

where the children need them the most.

But what has happened? Last week we learned from the chancellor of the New York City schools that the certified teachers turned down the jobs in the hard-to-teach schools. Why? Because those are the schools that are already overcrowded; those are the schools that are crumbling; those are the schools that hardly have a book in the library; those are the schools without the computers connected by the cables they need to be able to be functional, let alone to be accessible to the Internet.

We cannot in good conscience demand that school districts hire certified teachers without providing the resources to help these hard-pressed districts recruit and retain these teachers. And we have to do more to make these schools attractive to certified teachers.

Answer me, why you would go into a very difficult school to teach children who are under lots of stress at home and in their neighborhoods if the school is not well equipped to give you the resources you need to try to do a good job with those children?

I will be working with colleagues on both sides of the aisle to introduce a bipartisan teacher recruitment amendment. We all know if we do not place the recruitment of our teachers at the top of our national agenda we will have school districts that are barely able to open their doors in the next couple of years. We will be asking people literally to come off the streets and start teaching because we will not have the teachers we need. I meet people all the time who want to be teachers, but they will not, they cannot, and they should not work under the conditions under which many of our teachers are asked to function.

I am also concerned about the proposal the President includes called Straight A's. This is a demonstration project that would give 7 States and 25 school districts the chance to block grant Federal dollars. People are often talking about how important it is to give authority back to the States, and I agree with that in most instances. But we know from years of education research that block granting funds—which means taking the Federal dollars and sending them to the State capitol—means that those dollars do not get to the students and the schools that need them the most in the amount that they should. They get siphoned off in the bureaucracy of the State capitol. They get sent to other places that do not need them but, for political purposes, have the influence to get them. We should be targeting those hard-earned Federal dollars to those school districts and those students who are so far behind.

Right now in New York we know, because of a court decision, that the children in New York City do not get their fair share of education funding. So we should do everything possible to get

the dollars to the students who need them the most in the schools where the teachers have a chance to try to help them.

We also know from research that smaller class sizes make a huge difference, and the Class Size Reduction Initiative has worked wonders. We now have teachers in New York who are federally funded who are helping to lower class size. We have already seen positive results from the school achievement scores.

We also know that construction funding to help schools repair their buildings and modernize them and even construct the buildings they need is very necessary. These two important programs, class size reduction and school construction, are eliminated for all purposes in the Bush administration proposal. I say this is a mistake, and I ask the administration, with all respect, to please reconsider this decision.

The administration says that reducing class size with Federal dollars and helping to construct and repair schools are not Federal responsibilities. I know they are not totally Federal responsibilities, but I do not think in today's world they are also solely local responsibilities. The districts that need the help the most are not the districts like the one I live in where, with very high property taxes from affluent people, the children have everything they could possibly dream of. But in so many districts, suburban taxpayers cannot pay another penny to fix their schools and do what is necessary to have up-to-date labs. In many rural districts they do not have the tax base to do that, and in many urban districts they don't have the dollars because they don't get their fair allocation from the State, and they cannot tax themselves to be able to meet the needs of children for whom English is not their first language, who come to school with undiagnosed mental illnesses, who live in a system of deprivation and violence and who cannot perform at the same level as the children in my district.

Let's have a shared responsibility. That was the whole idea behind the Class Size Reduction Initiative and School Construction Initiative. If education is to be a national priority, let's invest in what we know works—and we know reducing class size and providing good facilities actually works—to make for better education.

I hope we will continue in the spirit that we began in the education committee as we marked up this bill, in the negotiations that are currently ongoing with the administration. But I am very concerned that this particular proposal falls way short of what we need to be doing. It falls short for a very simple reason. The administration would rather invest in a large, fiscally irresponsible tax cut than in the education of our children and particularly those who are most needy in rural and urban districts.

I hope this will be reconsidered because this failure to properly fund education, to me, is disappointing at a time when we have surpluses, when we do not have to squander these surpluses on large tax cuts that will go disproportionately to the already wealthy whose children already attend schools that have all the computers, all the bells and whistles, all the extra help they could possibly have.

Let's, instead, take a moment and step back. I hear a lot about the greatest generation. My parents were part of the greatest generation, the World War II generation. I think they probably have to take a second seat to the greatest generation being the Founders of our Country. But there is no argument that those who survived the Depression, won World War II, and set the stage for winning the cold war, were among the greatest if they were not the greatest generation our country has ever seen.

We have been living off the investments and sacrifices of our parents and our grandparents for more than 50 years. My father, who is a rock-ribbed Republican, voted for higher school taxes because he knew the education of his children depended upon good schools. We invested in the Interstate Highway System. We set a goal to send a man to the Moon. We had big dreams, and we worked to fulfill those dreams.

Today, at the beginning of this new century, it is up to us to make the decisions, the hard decisions to invest in our children's education. And shame on us if we do not make the right decisions. We can pass a bill that is filled with testing and sounds good but 10 years from now we will still have children in overcrowded classrooms and crumbling buildings who are being deprived of certified, qualified teachers, and we will wonder what went wrong.

Let's instead be sensible about the best practices that we know work. We have research. We have practical experience. We know what needs to be done. The issue is, do we have the political will to make those decisions?

I support working hand in hand with the administration in a bipartisan way, with the parents and teachers and community leaders of our country, to make education a real national priority. But I cannot—I could not—support a bill that is a hollow, empty promise.

Let's do both. Let's increase accountability so we get better results by making sure we have the resources to hold our children and our teachers accountable. If we do that, then we will be setting the stage to leave no child behind. If we do any less, then I think we have missed a historic opportunity.

Mr. WELLSTONE. Mr. President, could I ask the Senator one or two quick questions?

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I have been very moved by what she said. On the question of accountability and then the whole issue of unfunded mandates, one

argument I heard the Senator make was we have to provide the funding for the actual tests to make sure these are high quality, which means we should not confuse accountability, testing, and standardized tests as being one and the same thing; is that correct?

Mrs. CLINTON. Yes, it is.

Mr. WELLSTONE. The second point I want to make and I want to be sure we are clear about is that it would also be an unfunded mandate, even if you provided the funding for the administration of the testing, without the investment in our children and our schools to make sure each and every child had the same chance to achieve and do well in these tests. Then I tried to remember what you described it as. You said it was hollow, and you said it would be an educational fraud. That is fairly strong language. I will put the Senator on the spot, but could I ask her why she feels so strongly about this point?

Mrs. CLINTON. Certainly. My feelings go back many years. As the Senator knows, children have been my passion for more than 30 years. I have worked on improving and reforming education for nearly 20 years. I know how difficult it is, today, to try to help many of our children achieve educational competence.

The reason for that is that we are not living in the same world in which the Senator and I grew up. It is harder to teach our children. Our children come to school with more problems and more stress. They are exposed to many more things than we ever faced.

We have to understand that if we don't really provide the resources to reach the children as they are today, not as we wish they would be, not as we thought they were back when I was sitting there with my hands folded and listening to every word, but as they are today with all the other pressures that are on families and children, then we are not going to have the results and the kind of achievement to which the Senator from Minnesota is referring.

But there is no reason we have to make this choice. It is not an either/or choice. We have the resources to assist our local districts so they do not have to reach any deeper. Many of the districts from my State can't afford to raise their property taxes any more.

I was on Long Island last night talking to a group of about 1,000 people. I explained to them, if we have this large Federal income tax cut, and then we have these unfunded mandates for education, where is the rubber going to hit the road? It is going to hit the road in the local property tax levels.

I would rather be, I am sure, part of an administration that gets to take credit for cutting income taxes than the poor souls down at the local level having to vote to raise property taxes in order to meet the mandates they have put on them. I think we should not be raising false hopes. We should be looking at how we help every child be successful.

Mr. WELLSTONE. When I go back to Minnesota, I try to be in the schools

every 2 weeks. For the last 10½ years there has been concern about the testing, especially standardized tests; people have to kind of teach within a straightjacket. But what about the issue? I ask the Senator from New York because this is also, I think, part of her passion and part of her work. I hear a lot about two other things: The IDEA program, which isn't within ESEA, but it seems to me that we have to be very clear with some kind of trigger amount so that testing doesn't take its place unless we fully fund IDEA, because that is really a threat and a strain that a lot of districts feel. The other one is prekindergarten.

With all due respect, I want to get the Senator's opinion. If we start testing kids at age 8, I might argue at age 12 or 13, "Schools, what have you done?" But at age 8, I would argue that much more of what will explain how that child is doing is what happened to the child before kindergarten. Where is the administration, if the administration is going to talk about leaving no child behind? Where is the community in early childhood development to make sure that these children are kindergarten ready? Shouldn't that all fit within what is defined as reform?

Mrs. CLINTON. I think my colleague is absolutely right, because if we are looking at the comprehensive reform, we cannot leave out the funding of IDEA. We can't leave out doing something to help parents understand their obligations to be a child's first teacher and provide quality preschool.

I hear so much about the IDEA program, otherwise known as the special education program. I hear it mostly in suburban districts, interestingly enough, because suburban districts have activist parents and they know the law. The law is that we have to provide an education for every child. And I support that law. It was the first project I ever did for the Children's Defense Fund. I went door to door in communities back in—I hate to say—1973 to find out where the children were because they weren't in school. We found a lot of children with disabilities who were being kept out of school.

I am a 100-percent supporter of mainstreaming our children and giving every child a chance. But we are bankrupting a lot of our suburban school districts. We are saying you have to provide special treatment and education for children who need it and deserve it. If that means you have to shut down the band program or only have one physics session or do away with art, that is the tough choice to make.

The Federal Government said in the 1970s that you have to provide this education. Furthermore, it is not only, as our colleague TOM HARKIN likes to say, a Federal mandate, but it is a constitutional mandate to provide this quality education. The Federal Government is going to tell districts they have to provide special education. Where is the full funding so suburban districts and all other districts can try to keep up with their expenses?

I could not agree more with the second point the Senator made. Those of us who have been parents read to our children. We take them to museums. We get them a library card. We monitor their television. We worry about any kind of childcare arrangements. We know those early years make a difference. Why don't we make a commitment based on the resources we now have about the brain to do more to provide quality preschool opportunities both at home and outside the home so that more children can come to school ready to learn? That might be the very best investment we could make in terms of long-term academic success.

Mr. WELLSTONE. I thank the Senator from New York.

In the time I have remaining, I would like to make the point that I think this is truly a matter of values and truly a matter of priorities. Either we are going to be talking about close to \$2 trillion in tax cuts—most of it Robin Hood in reverse. Again, if somebody wants to prove me wrong, about 40 percent of the benefits go to the top 1 percent of the population.

Any day of the year, I would stake my reputation back in Minnesota on being able to say, as opposed to those Robin-Hood-in-reverse tax cuts, that I am going to be a Senator from Minnesota who is going to insist that if we are going to say a piece of education legislation is the best, we had better make it the best for our children. That means there is a commitment to making sure kids are kindergarten ready. That means we live up to our commitment to fully funding the program for children with special needs, which is getting to the 40-percent level and not the 14-percent level. That means we ought to be moving toward fully funding the title I program for kids who come from disadvantaged backgrounds. That means we ought to be funding afterschool programs and we ought to be talking about teacher recruitment. We ought to be talking about how we can provide the supportive services.

I say to Senators, Democrats and Republicans alike, that you will rue the day you voted for a piece of legislation that mandated that every school and every school district in your State every single year had to have tests, starting as young as age 8 and going to age 13, and you did not at the same time vote to provide the resources so that those teachers and those schools and those school districts and, most important of all, the children had the tools so they could succeed and do well.

I will tell you something. I hope my colleagues on the Democratic side will draw the line on this question. It seems to me that before we proceed to this kind of legislation, before we talk about a piece of legislation as being reform, we should say we want to make sure there is a commitment of resources. Before we have this mandate on all of our States and all of our schools, we ought to make sure we have provided the funding. If we can't

do that, then this becomes very hollow. If we can't do that, then this piece of legislation I believe does nothing but set up the schools and the kids and the teachers for failure.

My colleague was saying get it down to the school level. I sometimes think what we have been doing has a sense of unreality to it. If you go down in the trenches, and especially if you go to the schools, a lot of the inner-city neighborhoods and rural areas, you have kids on free or reduced lunch programs. You have homes where sometimes they have to move two or three times a year. You have schools that are crumbling, schools that don't have the resources, schools that don't have the laboratory facilities, and schools that don't have the textbooks. Now what you are saying is you are going to have tests and state with precision the obvious: Guess what. Children who come to school hungry, children who come from families who don't have adequate housing or are even homeless, children who are not kindergarten ready, children who do not receive all of the good stimulation and all of the nurturing that they need to have before kindergarten, those children who come to schools without the facilities, without the best teachers, without the salaries for the teachers, we are going to find out through tests that those children and those schools aren't doing as well as a lot of other schools which have all the resources in the world with which to work.

That is what the test does. Absolutely nothing—not without the resources.

I can say this from the floor of the Senate. It sounds a little jarring. But in a lot of ways I think the best way you can move to vouchers is to design a system where you guarantee over the next 4 or 5 years that many schools are not going to succeed because you don't give them the resources. Then you can state with precision the obvious; that is, the children who come from low- and moderate-income backgrounds with the least amount of help to do well are continuing to do poorly. The schools are continuing to do poorly because they do not have the resources. Then you use that as a reason for an all-out broadside attack on public education.

Some of the harshest critics of these teachers in these schools couldn't last an hour in the classrooms they condemn. I have never met a teacher and I have never met a parent who has said to me what we need is more and more tests, tests, tests.

I have had a lot of people in Minnesota talk to me about the IDEA program, the title I program, afterschool programs, how we can make sure kids are kindergarten ready, and how we can make sure we have the best teachers and get the resources to the teachers and have the support for the teachers and the kids.

We have a budget from the President of the United States of America who

says education is his No. 1 priority, and it is a tin cup budget. How are you going to realize the goal of leaving no child behind on a tin cup budget? At the moment, I agree with Senator CLINTON. I think it is an educational fraud bill. Without the resources to back the rhetoric, it becomes nothing more than symbolic politics with children's lives.

I will oppose it with all of my might until we get resources to invest in our children—all of our children.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, we will be turning to the Elementary and Secondary Education Act reauthorization bill soon. I want to speak a bit about the subject of education.

This will be an interesting debate and one that is very important for our country. All of us come to the Senate from different backgrounds with different interests. I happen to come from a small town of about 300 people in the southwestern corner of North Dakota, down by the Montana and South Dakota border. I graduated in a high school class of nine.

That little high school in Regent, ND, where I went to school, held its last prom this year because the high school is not going to be continuing any longer. In order to have a prom in a school that small, they have to gather a fair number of classes. That is the only way to have a prom in a school that size.

I was saddened to read that, because of the challenges facing rural areas of North Dakota, schools are seeing fewer and fewer students coming into the school system. In my State, we had 16 counties that had fewer than 25 births in a year, and in almost all of those counties they have at least two school systems. Divide up those births 5 or 6 years from now and see how many children are going to enter first grade and see what the challenges are for those schools. They are very significant.

Despite having gone to a small school, I always felt I got a very good education. It was not a fancy school. It was a school with a library no larger than a coat closet, but we had teachers who cared, and it was a school that provided an awfully good education.

Even though all of us have different backgrounds, we also share common goals. All of us want the same thing for our country. We want our country to do well, our children to be well edu-

cated, our country's economy to grow and provide expanded opportunities for people.

In this debate, we are going to talk a lot about what is wrong with education. That, I guess, is the nature of things in this country. We talk about what is wrong and how we will fix it. We almost never catch our breath to talk about what is right. In fact, when you listen to people talk about what is wrong with education in America, you wonder how on Earth this country became what it has become.

Anyone who has done any traveling throughout the world understands there is not any other country like this. Go to Europe, Asia, South America, Africa—just travel and ask yourself: Have I visited a country with the same conditions that exist in the United States? Is there a country quite as free as this, as open as this, with an economy as strong as this, where every young child goes into a school system which allows him or her to become whatever his or her God-given talent allows? That is what our school system provides our children.

This is not true in many other countries in the world. By the eighth grade, often other countries have moved kids into different tracks where only selected children have an opportunity for higher education. A lot of countries do that.

Our country has said for a long while that we believe in universal education. All children in this country, no matter their background, ought to have the opportunity to be whatever their God-given talents allow them to be.

Yet when hearing this debate, one wonders what has allowed this country to be as successful as it has been? This is the country, after all, that has split the atom and spliced genes. We have invented radar and the silicon chip. We have invented plastics. We learned to fly, and then we built airplanes. We flew those airplanes, and then we built rockets. We took those rockets to the Moon and walked on its surface. We cured smallpox and polio. We discovered how to create a telephone and then used it, invented radios, television, computers.

One almost wonders how on Earth this happened in a country like this with an education system that some say has totally failed us.

The reason all of this has happened is the education system has not failed this country at all. There are some significant challenges and some significant problems in certain areas of our education system, but by and large this education system has been the most productive in the world for a long period of time.

If one wants to evaluate where the world-class universities are, by far 80 percent of them are in the United States of America. We house the world-class universities in this country.

Let me talk a bit about the status of this country's educational system.

Some say we have an educational recession. The President, during his campaign, said that, among others.

Yet reading achievement is up in this country. The National Assessment for Educational Progress, called NAEP, says that during the last decade, reading achievement has significantly improved in all grades tested.

Are there some challenges in some schools in this country with respect to reading skills? You bet your life there are, and we need to address them.

But on the average, reading skills are up. Mathematics and science achievement is up. NAEP scores in mathematics have improved during the past decade, and in science NAEP reports scores have increased significantly for older children in the last decade.

Students were better prepared for college throughout the 1990s. Scores on both the SAT and ACT climbed steadily. Mathematics SAT scores are at an all-time high. The average SAT math score increased from 509 in 1992 to 514 in 2000. Verbal SAT scores improved over the same period from 500 to 505.

Some say if you compare the SAT scores in the United States to the same scores in other countries, the United States ranks well down the list or that our scores have decreased over time. But those people are not comparing apples and apples. Only the best students in other countries are taking the ACT and SAT, while in our country a majority take them. Thirty years ago, only the top 25 percent of U.S. students would take the SAT tests. Now, perhaps the top 60 or 70 percent of the universe of students take the same tests. Would you perhaps get a lower score on average by taking 70 percent of the universe instead of taking the top 25 percent? Yes.

But compare the top 25 percent now to the top 25 percent 30 years ago? What do you find? Higher test scores. You need to compare like comparisons if you are going to make judgments.

Our students are taking tougher courses. Between 1992 and 1997, the number of high school students taking advanced placement courses in all subjects increased by two-thirds, from 338,000 to 581,000.

It is hard to make the case we are in an educational recession.

I have two children in school. They study hard. They do their homework. They do not necessarily enjoy doing that every night, but they do their homework. They are in a good school with great teachers. The fact is that is true in much of this country.

There is a very simple formula to determine whether education is going to work, and it is true in every neighborhood in every school in this country. To make education work, we need several things: One, a student who is interested in learning; two, a teacher who knows how to teach; and, three, a parent who is going to be involved in that student's education.

When those three elements are present, education works and works

well. When they are absent, we have great difficulties.

I know from firsthand experience that there are some schools with significant challenges. I visited an inner-city school that had significant challenges. I knew that at the front door. I walked through metal detectors, saw security guards, watched teachers try to deal with a series of problems in the class. Those problems were identical to the problems of the neighborhood surrounding that school: poverty, dysfunctional families, a whole series of issues that those children then brought to that school.

Some weeks after I visited that school, I read in the paper there was a shooting at that school. That was a few years ago. Some kid bumped another kid at a water fountain, and the other kid took out a pistol and shot him, despite the fact they had obviously gone through a metal detector as they walked into that school.

If schools are not safe places of learning, they are not going to be good places of learning, so we must deal with that issue.

We need good teachers, students willing to learn, parents involved in education, and a safe environment in which students can learn.

In addition to that, in this debate, we are going to have to understand that we have a responsibility as a country to send children through classroom doors into classrooms of which we can be proud. Children cannot learn in classrooms that are not modern.

I have toured schools, especially Indian schools attended by children for whom the Federal Government has a trust responsibility to educate. This is not an option. Yet these Indian schools where desks are 1 inch apart, classes are so crowded you just cringe when you see them pack these kids into those classrooms. These are schools where you cannot hook up a computer because the facilities are so old they do not have the capability of supporting a computer; schools where you would not want to send your child to school because it is in such disrepair.

Is that a good safe place in which to learn? The answer clearly is no and we need to do better. We need to deal with the issue of school construction. We built schools all over this country just after the Second World War. The GIs came home, they married, had children, and we built schools all over this country. Many of those schools are now 50 and 60 years old and in desperate disrepair.

None is in greater disrepair than the schools on Indian reservations. I talk about that a lot because we have so much to do in those areas. We have a responsibility to deal with these crumbling schools around the country. If we will have a first-class education, it ought to be in a first-rate classroom.

Second, we also know from experience and from research that children learn best in classrooms of 15 to 18 students. I have had children of mine in

classrooms in mobile trailers, the temporary classrooms with 32 and 34 kids. It doesn't work well. We know that. We know a teacher who is teaching 15 to 18 children has much more time to spend individually with those children and does a much better job. We have a responsibility to try to help and do something about that as well.

At the Federal level, we only do niche financing for education. Our schools are financed, by and large, by State and local governments and especially by local school boards. No one is suggesting we change that.

But we ought not brag in this country, as some are wont to do, that we don't have any national objectives for our school system. It is not a source of pride, in my judgment, to brag that we do not have or want national standards or objectives for our children to meet upon their graduation. We ought to aspire to meet certain objectives. Of course we ought to have national objectives we aspire to reach.

In order to do that, some feel strongly we ought to improve our school buildings. This Congress can provide funding to help local school districts meet their construction and repair needs. We ought to reduce classroom size and provide funding to do that. We ought to do it in this legislation, the Elementary and Secondary Education Act reauthorization.

President Bush is correct when he talks about the need for testing. Many have stood for years on the floor of the Senate saying we need to have some testing. People also need to know what our schools are producing, how our schools are doing. I will offer an amendment dealing with the issue of school report cards. Many States have them. But there are no standards for school report cards and no parent can understand how their school is doing. They know how their child is doing because they get a report card every 6 to 9 weeks. But how is their school doing? Is this school doing a good job of educating that child? How does this school relate or compare to another school? How does our State compare to another State? What are we getting as taxpayers for the investment we are making in these schools? We have a right to know that. We have a right to get report cards on our schools. All parents have that right. All taxpayers have that right. I intend to offer an amendment on that during the consideration of the Elementary and Secondary Education Act.

There is so much to say about education. Let me mention two stories that illustrate the value of education.

I toured a refugee camp one day in an area near the border between Guatemala and Honduras. It was some while ago when Honduras was having a lot of terrorism and difficulties. At this refugee camp, the United Nations High Commissioner for Refugees was running a refugee camp and had people living in tents. As I was going around the camp, viewing the conditions, there

was a fellow, probably in his mid-sixties, who could not speak English but he knew I was a visitor to the camp. He beckoned to me and wanted me to come with him. I asked the guide from the United Nations what the fellow wanted and the guide said: I think he wants you to go into the tent area. So we did. He reached under his cot for some of his belongings, which is all he had. He had a cot and a couple of belongings stored under a cot in the refugee camp. He reached under the cot and pulled out a book. It was an education reading primer book in Spanish. It was the Spanish version of the "See Dick Run" book we would have had in first grade. He was, for the first time in his life, in his mid-sixties, being taught to read. He wanted to show me, a visitor, that he could begin to read. He pulled out the book and began to read in halting Spanish, "See Dick Run."

He had a huge smile on his face after he finished the first two lines, looked up at me with only two or three teeth, someone who was living in great difficulty, in a refugee camp, with perhaps not enough to eat, never having had an opportunity for education, and he was so enormously proud of being able to learn.

Education, even at the later stage of his life, was so important to him that he wanted to show a visitor he was learning to read. Think of that.

The second story is one I have told my colleagues about before, but I will tell it again because it also describes how important education is. It is the story of a woman who was a janitor at a tribal college, cleaning the bathrooms and the hallways of a tribal college. Her husband had left her. She had four children and was over 40, with no means of support except this job as a janitor. She wanted to go to the college somehow so she could earn a degree and find a better job. The day I showed up to give a graduation speech at the tribal college, this woman was a graduate of the college. She had pulled herself up by the proverbial bootstraps and gotten an education and was no longer the janitor of the school. She was wearing a cap and a gown and a huge smile because, despite it all, and through it all, with all the adversity in her life, she had become a college graduate. You could read "pride" all over her face. It is something she had done for her own future that no one will ever take away from her. She invested in herself against all the odds.

Education means so much to people at every stage: When they are retired, when they are 40, when they are 20, when they are 10. We are talking about the reauthorization of the Elementary and Secondary Education Act. There is not much that is more important for this country than to improve this law for America's kids. There is a lot on which we can agree, some we will disagree on in the coming days, but I hope at the end we can look at this bill and say we did something very important for this country's future.

I will take the floor later in the debate and offer a couple of amendments I have described. I yield the floor.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Washington.

Mrs. MURRAY. I ask unanimous consent to speak as in morning business for 10 minutes.

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

Mrs. MURRAY. I commend my colleague from North Dakota for his eloquent statement on education. I come to the floor today to join a number of Democratic Senators who have been here this afternoon to speak about the issue of education which is going to come before the Senate this coming week. I share their passion and their concern as we look at reauthorizing the Elementary and Secondary Education Act.

It is critical we understand we all share the same goals. President Bush stated very rightly that no child should be left behind. Everyone in this body wants to make sure that no child is left behind. The Elementary and Secondary Education Act is our opportunity to do that because, as we all know, education is the key to a child's future. If they know how to read, they will make it in this world. If they can do math, they will be able to move on. If they can converse, they will be able to get a job and be successful. That is our goal for every single child.

The Elementary and Secondary Education Act that is being worked on now has a number of compromises in it. It is not everything everybody wants, but the one concern that I want to express adamantly to this body before we bring this bill to the floor is the lack of available resources. It is so easy to say we set standards, we set goals that we demand our children and their schools reach. But if we don't provide the dollars for them to be able to reach those goals, we are simply putting out a mandate, an unfunded mandate, to districts which means the kids will fail. There is no doubt that if you want a child to learn to read, you have to provide the resources for a teacher who is capable. You need to make sure the class size is small enough, that the child has enough personal time with the teacher, an expert, to be able to learn to read.

It is not magic. It takes a qualified teacher. We want to make sure all of our kids pass the annual tests. Just giving tests as required in the bill does not assure the students will do better. I fear it means without the backing of the resources behind it, so the children can learn what is required of them to pass the test, the children will fail and drop out of school. And, yes, 5 years from now we may have a higher percentage of kids doing better on tests but nobody will be testing the kids who didn't make it, who dropped out, who failed, who are not in the school system anymore. Those are the kids we cannot leave behind.

Without the resources that are so important for success, and a commitment from this White House to have the resources available, we will have failed America's children if we move this bill forward.

We know what works in public education. Any one of us who has been to a school recently knows what makes a difference. A teacher makes all the difference. A good teacher and a good principal makes an incredible difference. A parent who is involved makes an incredible difference. Unfortunately, that doesn't happen in every school. A lot of classrooms don't have qualified teachers. That is a concern. It doesn't happen just because we mandate it. It happens because we provide the resources to recruit good teachers, to help school districts hire them, and to make sure that every child is in a classroom with a qualified teacher.

We know the facility that a child learns in makes a difference. I have been in classrooms, as I believe several of my colleagues have, where children are wearing coats, where there are buckets catching raindrops, where there is no electrical outlet for the children to even plug in a computer much less have a computer, where there isn't even a restroom facility in the building; they have to go outside across the way to get to one.

How do you expect a child to learn in that kind of environment? It does not happen. Unless we put investments into bringing our buildings up to code and providing a partnership at the Federal level for those districts and schools that need it the most, we cannot expect children to learn. We cannot require that children only pass or move on if they have the best teacher and the best classroom and the best facility. If we do, we will have failed numbers of children in this country, and that is really the wrong policy.

I will have much to say about many of these issues as we move through the Elementary and Secondary Education Act in the coming days or weeks. But I just want our colleagues to know that the worst thing we can do is pass an Elementary and Secondary Education Act without adequate funding for the requirements we are making, because several years from now we will have every school district, every school administrator, every school board member, every parent, and every teacher at our door saying you passed an unfunded mandate down to us. Instead of recruiting good teachers and building our classrooms and working hard to teach our kids, we are failing them because the only thing we are doing is providing testing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I ask consent to speak in morning business.

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

## NATIONAL DEFENSE

Mr. STEVENS. Mr. President, this morning as I read the Wall Street Journal, I came across Mark Helprin's article called "The Fire Next Time." The thesis of Mr. Helprin is this:

The consensus that doing much to protect America is preferable to doing too little has been destroyed. If the President does not rebuild it, we will suffer the consequences.

I commend this article to the Senate. I do not think it is totally the President's responsibility. It certainly falls on many of us to help the President and the Secretary of Defense and those in the National Security Agency and the Vice President, all of them working on what should be our defense policy, to find ways to rehabilitate our national defense. Very clearly, we do not have the defense we need for the future.

At one point in this article, Mr. Helprin says this:

God save the American soldier from those who believe that his life can be protected and his mission accomplished on the cheap. For what they perceive as an extravagance is always less costly in lives and treasure than the long drawn-out wars it deters altogether or shortens with quick victories.

I do hope all of us will think about how we can restore our national prestige in terms of being the superpower of the world and having the power to defend that position.

I ask unanimous consent this article be printed in the RECORD.

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

[From the Wall Street Journal, Apr. 24, 2001]

THE FIRE NEXT TIME  
(By Mark Helprin)

From Alexandria in July of 1941, Randolph Churchill reported to his father as the British waited for Rommel to attack upon Egypt. In the midst of a peril that famously concentrated mind and spirit, he wrote, "You can see generals wandering around GHQ looking for bits of string."

Apparently these generals were not, like their prime minister, devoted to Napoleon's maxim, "Frappez la masse, et le reste vient par surcroit," which, vis-a-vis strategic or other problems, bids one to concentrate upon the essence, with assurance that all else will follow in train, even bits of string.

CONSENSUS DESTROYED

Those with more than a superficial view of American national security, who would defend and preserve it from the fire next time, have by necessity divided their forces in advocacy of its various elements, but they have neglected its essence. For the cardinal issue of national security is not China, is not Russia, is not weapons of mass destruction, or missile defense, the revolution in military affairs, terrorism, training, or readiness. It is, rather, that the general consensus in regard to defense since Pearl Harbor—that doing too much is more prudent than doing too little—has been destroyed. The last time we devoted a lesser proportion of our resources to defense, we were well protected by the oceans, in the midst of a depression, and without major international responsibilities, and even then it was a dereliction of duty.

The destruction is so influential that traditional supporters of high defense spending, bent to the will of their detractors, shrink

from argument, choosing rather to negotiate among themselves so as to prepare painstakingly crafted instruments of surrender.

A leader of defense reform, whose life mission is to defend the United States, writes to me: "Please do not quote me under any circumstances by name. . . . Bush has no chance of winning the argument that more money must be spent on defense. Very few Americans feel that more money needs to be spent on defense and they are right. The amount of money being spent is already more than sufficient."

More than sufficient to fight China? It is hard to think of anything less appealing than war with China, but if we don't want that we must be able to deter China, and to deter China we must have the ability to fight China. More than sufficient to deal with simultaneous invasions of Kuwait, South Korea, and Taiwan? More than sufficient to stop even one incoming ballistic missile? Not yet, not now, and, until we spend the money, not ever.

For someone of the all-too-common opinion that a strong defense is the cause of war, a favorite trick is to advance a wholesale revision of strategy, so that he may accomplish his depredations while looking like a reformer. This pattern is followed instinctively by the French when they are in alliance and by the left when it is trapped within the democratic order. But to do so one need be neither French nor on the left.

Neville Chamberlain, who was neither, starved the army and navy on the theory that the revolution in military affairs of his time made the only defense feasible that of a "Fortress Britain" protected by the Royal Air Force—and then failed in building up the air force. Bill Clinton, who is not French, and who came into office calling for the discontinuance of heavy echelons in favor of power projection, simultaneously pressed for a severe reduction in aircraft carriers, the sine qua non of power projection. Later, he and his strategical toadies embraced the revolution in military affairs not for its virtues but because even the Clinton-ravished military "may be unaffordable," and "advanced technology offers much greater military efficiency."

This potential efficiency is largely unfamiliar to the general public. For example, current miniaturized weapons may seem elephantine after advances in extreme ultraviolet lithography equip guidance and control systems with circuitry not .25 microns but .007 microns wide, a 35-fold reduction that will make possible the robotization of arms, from terminally guided and target-identifying bullets to autonomous tank killers that fly hundreds of miles, burrow into the ground, and sleep like locusts until they are awakened by the seismic signature of enemy armor.

Lead-magnesium-niobate transducers in broadband sonars are likely to make the seas perfectly transparent, eliminating for the first time the presumed invulnerability of submarine-launched ballistic missiles, the anchor of strategic nuclear stability.

The steady perfection of missile guidance has long made nearly everything the left says about nuclear disarmament disingenuous or uninformed, and the advent of metastable explosives creates the prospect of a single B-1 bomber carrying the non-nuclear weapons load of 450 B-17s, the equivalent of 26,800 100-pound bombs. Someday, we will have these things, or, if we abstain, our potential enemies will have them and we will not.

To field them will be more expensive than fielding less miraculous weapons, which cannot simply be abandoned lest an enemy exploit the transition, and which will remain as indispensable as the rifleman holding his

ground, because the nature of war is counter-miraculous. And yet, when the revolution in military affairs is still mainly academic, we have cut recklessly into the staple forces.

God save the American soldier from those who believe that his life can be protected and his mission accomplished on the cheap. For what they perceive as extravagance is always less costly in lives and treasure than the long drawn-out wars it deters altogether or shortens with quick victories. In the name of their misplaced frugality we have transformed our richly competitive process of acquiring weapons into the single-supplier model of the command economies that we defeated in the Cold War, largely with the superior weapons that the idea of free and competitive markets allowed us to produce.

Though initially more expensive, producing half a dozen different combat aircraft and seeing which are best is better than decreeing that one will do the job and praying that it may. Among other things, strike aircraft have many different roles, and relying upon just one would be the same sort of economy as having Clark Gable play both Rhett Butler and Scarlett O'Hara.

Having relinquished or abandoned many foreign bases, the United States requires its warships to go quickly from place to place so as to compensate for their inadequate number, and has built them light using a lot of aluminum, which, because it can burn in air at 3,000 degrees Celsius, is used in incendiary bombs and blast furnaces. (Join the navy and see the world. You won't need to bring a toaster.)

And aluminum or not, there are too few ships. During the EP-3 incident various pinheads furthered the impression of an American naval cordon off the Chinese coast. Though in 1944 the navy kept 17 major carriers in the central Pacific alone, not long ago its assets were so attenuated by the destruction of a few Yugos disguised as tanks that for three months there was not in the vast western Pacific even a single American aircraft carrier.

What remains of the order of battle is crippled by a lack of the unglamorous, costly supports that are the first to go when there isn't enough money. Consider the floating dry dock. By putting ships back into action with minimal transit time, floating dry docks are force preservers and multipliers. In 1972, the United States had 94. Now it has 14. Though history is bitter and clear, this kind of mistake persists.

Had the allies of World War II been prepared with a sufficient number of so pedestrian a thing as landing craft, the war might have been cheated of a year and a half and many millions of lives. In 1940, the French army disposed of 530 artillery pieces, 830 antitank guns, and 235 (almost half) of its best tanks, because in 1940 the French did not think much of the Wehrmacht—until May.

How shall the United States avoid similar misjudgments? Who shall stand against the common wisdom when it is wrong about deterrence, wrong about the causes of war, wrong about the state of the world, wrong about the ambitions of ascendant nations, wrong about history, and wrong about human nature?

THE PRUDENT COURSE

In the defense of the United States, doing too much is more prudent than doing too little. Though many in Congress argue this and argue it well, Congress will not follow one of its own. Though the president's appointees also argue it well, the public will wait only upon the president himself. Only he can sway a timid Congress, clear the way for his appointees, and move the country toward the restoration of its military power.

The president himself must make the argument, or all else is in vain. If he is unwilling to risk his political capital and his presidency to undo the damage of the past eight years, then in the fire next time his name will be linked with that of his predecessor, and there it will stay forever.

Mr. STEVENS. 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. NELSON of Florida. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. NELSON of Florida. Mr. President, I ask consent I be given 10 minutes to address the Senate.

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

#### OFF-SHORE DRILLING

Mr. NELSON of Florida. Mr. President, I rise today to express my strong opposition to oil and gas exploration off the coast of Florida. Specifically, the issue at hand is the sale of Lease Sale 181. I am certainly not alone. There are 16 million Floridians who join in this opposition. Senator BOB GRAHAM as well, Florida State elected officials, certainly the legislature of Florida and most of the Florida congressional delegation opposes any drilling in Lease Sale 181.

Lease Sale 181 may not be included in the current moratorium on lease sales off the coast of Florida, but in the hearts of all Floridians it is part of the moratorium. Moreover, there has never been a production drilling rig actually producing off the coast of Florida because Floridians unequivocally oppose offshore drilling because of the threat it presents to the State's greatest natural and economic resource: our coastal environment.

Florida's coastal waters provide an irreplaceable link in the life cycle of many species, both marine and terrestrial. Florida's beaches, fisheries, and wildlife draw millions of tourists each year from around the globe, supporting our State's largest industry, tourism. Florida's commercial fishing industry relies on these estuaries as nurseries for the most commercially harvested fish. Nearly 90 percent of the reef fish resources of the Gulf of Mexico are caught on the West Florida Shelf and contribute directly to Florida's economy.

Oil spills would be devastating to Florida's beaches, coastal waters, reefs, and fisheries. The chronic pollution and discharges from drilling would detrimentally effect the shallow, clean water marine communities found on the Florida outer continental shelf. For these reasons, I cannot sit back and watch as my State, one of our nation's environmental jewels, is degraded.

I know some may have differing views because other issues or concerns consume their constituents; and I respect those views. However, in Florida the environment and tourism are of paramount importance. The beaches, the abundant fisheries, and the pristine waters make Florida what it is today; and the people of Florida want it to stay that way. Just as drilling in the Arctic National Wildlife Refuge would not solve the administration's claimed energy crisis, drilling in Lease Sale 181 will not either. Increased conservation and increased fuel efficiency in our cars would do more to meet our country's energy needs than drilling in Lease Sale 181. For these reasons, I must adamantly object to and vigorously oppose the sale of Lease Sale 181; and I hope the rest of this body listens to the pleas of Floridians.

All of the oil and gas that would come out of this proposed lease sale would only give about 2 months worth of energy for the country. That is simply not a viable tradeoff for the damage it would do to our economy and our environment. We are not willing to make that tradeoff in Florida. As a matter of fact, as you talk about drilling in the Arctic National Wildlife Refuge, isn't it interesting. If you put it into the context of all the barrels of oil that are projected to be pumped from that wildlife refuge, that energy consumption could be replaced if we but increased all new vehicles in their energy efficiency by 3 miles per gallon. That puts the crisis in context.

Conservation is considerably important. The use of research and development to produce more energy-efficient appliances, more energy-efficient automobiles—there is no reason why this country that has the technological prowess cannot produce a car that is economical and that will get 80 miles per gallon. We have that within our grasp. Think what that would do to our energy consumption.

As a matter of fact, when you look at the uses of energy by this Nation, the transportation sector is the sector that consumes most of that energy. Just think what future energy-efficient automobiles could do for us.

But that is a subject of larger proportions. Today, I rise on behalf of a State that has ecologically pristine beaches and the need to be kept just that way. This proposed lease sale for oil and gas drilling clearly jeopardizes the future economy and ecology of Florida.

Thank you, Mr. President. I yield the floor. 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. VOINOVICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### SENATE BUDGET RESOLUTION

Mr. VOINOVICH. Mr. President, just prior to the Easter recess, the Senate completed action on the fiscal year 2002 budget resolution. I voted in favor of final passage of the budget resolution, recognizing that it does not reflect everything that I wanted. However, I am thankful the Senate-passed resolution does contain a fair amount of what President Bush had originally proposed in his budget plan.

Nevertheless, it is my hope that when the Senate does go to conference with the House—which has passed a more stringent budget resolution—the end result will yield a budget resolution more in-tune with the President's more responsible package.

As it was originally put forward, I felt the Bush budget plan provided much of the fiscal responsibility I have long sought from Washington prior to, and since, becoming a Member of the Senate. Specifically, it restrains the growth of spending, reduces the debt as fast as is prudent, and allows for meaningful tax cuts. This is what I like to refer to as a "three-legged stool" approach. For this package to work, however, we have to insist on a balanced approach, because fiscal responsibility, like a three-legged stool, cannot stand if one leg is significantly longer or shorter than the others.

Unfortunately, if we characterized the Senate budget resolution as a three-legged stool, it would be rather wobbly right now since under the Senate budget resolution, discretionary spending increases at 8 percent, and that is double the amount the President suggested.

People often forget the President's proposal increased spending by a modest 4 percent at a time when inflation is approximately 2.8 percent, meaning it contains a real increase of 1.2 percent. In contrast, the Senate budget resolution, in real terms, results in a spending increase of 5.2 percent. That is a 333-percent higher rate of growth than what the President proposes.

These increases may sound like small numbers in the grand scheme of things, or in the Senate, but do not be fooled. It adds up to tens and hundreds of billions of dollars in more spending over time.

If we continue to spend money at this rate, we will have less resources to address important national needs, such as reforming Social Security, reforming Medicare, or providing a prescription drug benefit.

Indeed, according to calculations by the Concord Coalition, the Senate budget resolution includes new and expanded entitlement spending that is going to cost \$600 billion over 10 years, and discretionary spending that may total \$240 billion over 10 years.

Coupled with the resulting increased interest cost of \$550 billion, this package of amendments to the budget resolution could reduce the on-budget surplus by \$1.4 trillion over 10 years.

I say to my colleagues, enough is enough. We have to stop this rampant

spending and, instead, prioritize what we ought to be doing with the taxpayers' money. We need to sit down and make some hard choices about where to allocate taxpayers' money, where we want to increase spending, where we want to make cuts or maybe where we want to flat-fund.

For example, with regard to the National Institutes of Health, the President has included a generous increase in the amount of money that the NIH will receive in its budget, boosting NIH spending \$2.8 billion. That is a 13.8 percent increase. The Senate, not wanting to be outdone, added an additional \$700 million in NIH funding. Therefore, under the Senate's plan, NIH funding will be increased 17.2 percent over last year. In other words, the Senate wants to boost the rate of spending increase some 25 percent faster than the President.

Do I think we should spend money on important health research? Absolutely. But how much is enough?

The true cost is not just the dollar figure, it is what you give up, or what you could have purchased with that money. Economists call the concept "opportunity cost." When the Senate thinks about spending money on one thing, we need to recognize that we are giving up the ability to use the money for other worthy purposes.

If we follow through with the Senate's budget resolution, that means we will have fewer funds to conduct necessary Medicare reform, undertake education efforts aimed at preventive health care, provide greater access to rural health care, or fully fund the social services block grant.

Think about the social services block grant for a moment. Congress promised a funding stream of \$2.8 billion for this program, but funding has actually eroded \$1 billion over the past 6 years. I hear a lot about that from our county commissioners in the State of Ohio.

What most people do not realize is the fact that funds from the social services block grant go towards providing health care services for children, prenatal to age 3.

There are tough choices and dilemmas: Do you give more to NIH to fight disease, or do you give more money to the social services block grant, a program that gives children the nutrition and health services they need so they do not develop the diseases that the NIH is trying to fight?

Another thing we need to remember in figuring opportunity costs is the fact that we have a number of unmet Federal needs—needs that are a Federal responsibility, and which we should address as part of our full and balanced approach to the Federal budget.

Do we spend Federal dollars on school construction, which is a State and local responsibility, or do we prevent flood and storm damage from ravaging people's lives? As former chairman of the Transportation and Infrastructure Subcommittee, I personally

know we have \$39 billion of water resources development projects that the Army Corps of Engineers needs to fund, and yet we only provide \$1.3 billion each year for such projects. Let's get serious. We will never deal with that backlog at this rate.

Addressing such unmet needs does not sound important until there is a flood situation such as the folks along the Mississippi River are enduring right at this very moment.

In addition, we have serious unmet needs in our Nation's wastewater treatment and sewer infrastructure. The costs are going up astronomically in the State of Ohio to comply with mandates from the U.S. EPA for sewer and water treatment. We have a responsibility to participate in helping to alleviate those costs.

My point is this: We should allocate our financial resources on a very deliberate and prioritized basis and make the hard choices instead of the reckless last-minute spending that has often characterized the Senate over the last 3 years.

I cannot believe what the Senate has done the last couple of years. I cannot believe it. If I as a Governor or as a mayor or as a member of a board of county commissioners spent money the way we did during the last couple of years, they would have run me out of office very quickly.

I would remind my colleagues that just last year alone, we increased non-defense discretionary authority by an astounding 14.3 percent. Think about it. This is unsustainable. In my view, we need to stiffen our backbones and bring an end to this spending habit. Families need to carefully budget their resources. So do cities and States, and so, too, should the Federal Government.

It is one of the reasons I wanted to get two points of order agreed to in the budget resolution to prevent further game playing with tax dollars. One point of order I offered would have helped stop abuses of emergency spending, and another would have prevented "directed scoring," a process used to circumvent the budget process.

I am glad 51 Senators joined me and my cosponsors, Senators GREGG and FEINGOLD, in supporting this measure. It is my hope the next time we will get the 60 votes we need for adoption.

I also wanted to offer an amendment that would have extended and strengthened the current caps on discretionary spending. Unfortunately, that amendment would never have passed muster due to the excessive spending in the amendments of the budget resolution. We blew that out before I even had a chance to bring it up.

While the Senate's version of the budget resolution did not do enough, in my opinion, to keep spending in check, the silver lining is the fact that it provides for two tax cuts. I am hopeful, therefore, that we can, first, get this budget resolution to conference and that it emerges looking more fiscally

responsible and that the conferees pare-down the spending; and second, that the Finance Committee begins work immediately on developing an \$85 billion tax cut which I call a "balloon-payment" approach, using the fiscal year 2001 on-budget surplus.

I suggest this money go toward an immediate fiscal stimulus in the form of a cut in marginal rates; a cut that people will see in their paychecks directly through a change in their withholding.

We need to get the money in the people's hands right now. If we are serious about getting this reduction in marginal rates done soon, I honestly think we could get legislation considered and passed in the Senate and the House and on the President's desk by Memorial Day and the American people could see the benefits this summer. Let's get it done.

I think we are all agreed that something needs to be done to restore people's faith in the economy and bolster consumer optimism. It is at the lowest level in my State since 1992. In my view, the balloon payment is probably one of the best ways to show the doubting Thomases that the money is there and that we are doing something in Congress to address the issue. Further, I believe we need to enact a long-term marginal rate tax reduction as proposed by the President, which economists say will have a tremendous impact on stimulating our economy.

Given our economic situation, we in Congress need to follow a balanced three-legged stool approach. If we can control the growth of spending, reduce the debt and achieve quick passage of a balloon payment and implement both a long-term and short-term marginal tax cut, it will give a gigantic boost to consumer confidence and help us return to economic normalcy. We can quibble about how to distribute the balloon payment. Let's just work it out. The main thing is, get it done and connect to it a true marginal rate tax reduction.

However, there is one thing that I fear could torpedo any recovery and that is our inability to address our Nation's energy crisis. While we have already seen unprecedented home heating bills this past winter, I am concerned the worst is yet to come. Indeed, we are already seeing gasoline prices move toward the \$2-per-gallon range, and it is far from the peak summer driving season. What's more, the cost of energy is skyrocketing and supplies are scarce or unreliable. We can expect California's problems to intensify and likely be duplicated in other areas across the Nation.

It is not as if we didn't see this coming. The storm clouds have been brewing for many years. Still, there has been no action on the part of Congress to consider a comprehensive energy policy along the lines of what Senator MURKOWSKI has proposed in his bill, S. 388. I fear if we don't get moving, we will not get that done, either.

We need to act on these issues quickly. The American people are watching to see if we intend to bring this Nation out of our economic downturn and back on the road to economic prosperity, or if we are going to continue to fiddle around while the country burns. I hear that from the folks back in Ohio: "You are fiddling around in the Senate, and you are not getting anything done. Don't you understand how bad it is on the street?"

They want us to make the hard choices about spending. They want us to work together to develop solutions to our energy crisis, to pay down our debt, and provide quick and measurable tax relief. They want us to put aside the partisan bickering and the gamesmanship and act in the best interests of the Nation. After all, that is what they think they elected us to do.

We need to act in the spirit of the old Rogers and Hammerstein song from *Carousel*—many remember that—"You'll Never Walk Alone," so that the American people know that "at the end of the storm there is a golden sky and the sweet silver song of the lark."

Now, more than ever before, we have to restore people's faith and their confidence in the economic future of our Nation. It is in our hands.

#### GOVERNOR MELDRIM THOMSON

Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to my dear personal friend and political mentor, former New Hampshire governor Meldrim Thomson, who passed away last Thursday. Mel, who was 89, was one of the greatest governors in the history of the State of New Hampshire.

Mel Thomson left a lasting legacy. His legacy of country, state, family, and God will not soon be forgotten by those of us whose lives he touched so deeply. He was not only a gentleman but a gentle man, a loving husband to Gale, father of six, grandfather, and great-grandfather. He was one of my closest and most treasured friends. In politics, loyalty and friendship mean everything.

In 1993, Governor Thomson wrote a book, "100 Famous Founders," for which I was honored to have written the introduction. Among the first of the Founding Fathers to step forward and put his life, property, and honor on the line for his country by signing the Declaration was Josiah Bartlett of New Hampshire. Dr. Bartlett later served as the Governor of New Hampshire. It is fitting that this magnificent book of profiles of our Nation's one hundred foremost Founders was written by one of Josiah Bartlett's most distinguished and patriotic successors as Governor, Meldrim Thomson.

Meldrim Thomson had the same trust in God, love of family, steadfast dedication to his country and state, and sense of honor that characterized the Founders about whom he wrote. Indeed, had he lived in Josiah Bartlett's

time, Meldrim Thomson certainly would have been a Founder too. Had he lived during the American Revolution, he would have stood shoulder-to-shoulder fighting for the cause alongside George Washington, Thomas Jefferson, Sam Adams, and General John Stark.

Meldrim Thomson, Jr., took the oath of office as the 91st Governor of New Hampshire on January 3, 1973, and served until January 4, 1979. He is the only Republican to have served as Governor of New Hampshire for three consecutive two-year terms.

Meldrim Thomson's road to the governorship began in 1954, when he moved his publishing business and his family from New York to a new home in Orford, NH. Although he was not a native son, Meldrim Thomson's strongly independent nature and his bedrock conservative principles were right for New Hampshire. In spirit, then, he quickly became a son of New Hampshire.

Plunging into New Hampshire politics, Meldrim Thomson waged an unsuccessful campaign for the U.S. House of Representatives in 1964. That same year, though, he won election to New Hampshire's Constitutional Convention.

With characteristic grit and determination, Meldrim Thomson did not let his defeats in the 1968 and 1970 New Hampshire Republican gubernatorial primaries discourage him from continuing to seek our State's highest office. His commitment paid rich dividends in 1972, when he won election as Governor. He ran and won again in 1974 and 1976. In waging his victorious campaigns, Meldrim Thomson proved himself to be a true populist. Running on the slogan "ax the tax," Governor Thomson took his campaigns to the people of New Hampshire in their living rooms and meeting halls.

As Governor, Meldrim Thomson did not shrink from difficult decisions. As the spiritual descendant of the Founding Fathers, he had the courage to take grave political risks on behalf of his unfailingly conservative principles. Meldrim Thomson fought tirelessly for low taxes and strict fiscal discipline. As a result, during his time as Governor, the economy of New Hampshire enjoyed a prosperity that was unknown in the rest of New England. Attracted by the state's low taxes, significant new businesses moved their operations to New Hampshire. Wages and salaries increased Old manufacturing centers such as Manchester and Nashua demonstrated new signs of life.

Beyond his great economic successes, Meldrim Thomson did not hesitate to use his platform as Governor to speak out on vital national and international issues. He did not hesitate to criticize the foreign and domestic misadventures of the Administration of Jimmy Carter. In fact, Governor Thomson ordered New Hampshire State flags flown at half-staff to protest President Carter's pardon of Vietnam era draft resisters. It deeply offended Governor

Thomson's profound sense of patriotism that a President of the United States would take such an unprecedented action to shield those who refused their country's call from the rightful legal consequences of their acts.

I have so many personal, inspiring memories of Mel Thomson. In our private moments, of which we shared many up at the farm in Orford, he would affectionately call me "son". I thought of him like a father, both personally as well as politically.

He always inspired me with his words of wisdom. He often said "put principle above politics." He heeded his own words. Like Lincoln, Churchill and so many great men, he was unfairly criticized, but rose above it all to do what was right. He was a dedicated conservative, who was as solid as the granite in our mountains.

Mel Thomson's impact on the state, patriotism, and commitment to his values and his family will not be forgotten. I will miss him terribly, as will those many New Hampshire citizens whose lives he touched. Rest in peace, my friend. You have earned it. It has been an honor to represent you in the U.S. Senate.

#### COMMENDING NAVY LT. SHANE OSBORN AND HIS CREW MEMBERS FOLLOWING THEIR DETAINMENT ON HAINAN ISLAND, CHINA

Mr. DASCHLE. Mr. President, I come to the floor to commend in the strongest possible terms the members of the United States Navy crew who were detained on Hainan Island in China for 11 long days earlier this month. I think I speak for our entire nation when I say how much we admire their dedication and the extraordinary level of professionalism they exhibited throughout their ordeal.

Under the command of Lt. Shane Osborn, this crew of 24 servicemen and women left Kadena Airbase in Okinawa, Japan, on the evening of March 31 for what was to have been a routine mission over the South China Sea.

As we all now know, what happened after they left Okinawa, and for the next 11 days, was *not* routine. It was *heroic*. The entire world witnessed the strength, discipline and courage of our Navy crew.

Every man and woman on that plane is a hero.

I am especially impressed with the skill and character of a remarkable young man who first dreamed of flying as a 3-year-old watching a small Cessna on a South Dakota farm.

We are fortunate that Lt. Shane Osborn pursued his dream to fly. And we are doubly fortunate that he put that dream to work in service of his country.

Lt. Osborn says, modestly, that he was just what he'd been trained to do when he landed his damaged aircraft safely. Others see it differently. A Pentagon spokesman described the landing

as a "spectacular feat of airmanship." Experienced EP-3 pilots termed it astounding. Indeed, it was.

Think about what had just happened: The collision with a smaller, faster Chinese F-8 had dropped Lt. Osborn's EP-3 between 5,000 and 8,000 feet and turned it almost completely upside-down; two of the plane's four propellers had been clipped in the collision, rendering useless the wing flaps used to slow the plane during landing.

The collision had also sheared off the plane's nose cone.

And most of the plane's instruments were so badly damaged that they were useless.

Even so, Lt. Osborn managed to stabilize the plane, and he and his crew were able to guide it to the nearest airport, 70 miles northwest, on China's Hainan Island.

Remarkably, during that 70-mile flight, Lt. Osborn and his crew had the presence of mind to follow international procedure and issue a series of distress signals. In fact, they issued as many as 25 signals on two separate standard frequencies.

Lt. Osborn's crew and commanders say his courage and quick thinking saved 24 lives.

After landing in Hainan, with their plane surrounded by armed Chinese personnel, Lt. Osborn and his crew followed U.S. Navy procedure. They destroyed sensitive documents and technology, greatly limiting what could have been a significant intelligence loss.

For the next 11 days, Lt. Osborn's leadership, courage, dignity, and his remarkable sense of humor, helped keep the spirits of his crew high.

We are fortunate to be protected and represented by the entire crew of that Navy EP-3: Richard Bensing; Steven Blocher; Bradford Borland; David Cecka; John Comerford; Shawn Coursen; Jeremy Crandall; Josef Edmunds; Brandon Funk; Scott Guidry; Jason Hanser; Patrick Honeck; Regina Kauffman; Nicholas Mellos; Ramon Mercado; Richard Payne; Mitchell Pray; Kenneth Richter; Marcia Sonon; Curtis Towne; Jeffrey Vignery; Wendy Westbrook, and Rodney Young.

As a *South Dakotan*, I must say I am especially proud of Lt. Shane Osborn, who followed his dream from Mitchell, SD, to the Norfolk, Nebraska Civil Air Patrol, and now, into the pages of Naval history. He is a true hero, and we are proud of him.

**SMALL BUSINESS AMENDMENT TO THE 2002 BUDGET RESOLUTION**

Mr. KERRY. Mr. President, I submit a statement for the RECORD regarding a small business amendment I offered to the fiscal year 2002 budget resolution with my colleague, Senator BOND, on April 6, 2001.

First, let me extend sincere thanks to my colleagues for supporting this amendment which restored critical

funding to the Small Business Administration's finance and management assistance programs that help start and strengthen small businesses in our country. Second, let me correct the Record to reflect all the cosponsors:

Senators BOND, BINGAMAN, WELLSTONE, LANDRIEU, DASCHLE, LEAHY, JOHNSON, SCHUMER, COLLINS, LEVIN, SNOWE, HARKIN, CONRAD, and DOMENICI.

My apologies to Senators CONRAD, DOMENICI, and HARKIN who were not listed in the RECORD when the amendment passed. Again, thank you to all my colleagues for agreeing to this amendment and showing their support for our small businesses.

I ask unanimous consent that a copy of the amendment and the summary along with all the letters of support be printed in the RECORD.

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

AMENDMENT NO. 183

(Purpose: To revise the budget for fiscal year 2002 so that the small business programs at the Small Business Administration are adequately funded and can continue to provide loans and business assistance to the country's 24 million small businesses, and to restore and reasonably increase funding to specific programs at the Small Business Administration because the current budget request reduces funding for the Agency by a minimum of 26 percent at a time when the economy is volatile and the Federal Reserve Board reports that 45 percent of banks have reduced lending to small businesses by making it harder to obtain loans and more expensive to borrow)

On page 21, line 15, increase the amount by \$264,000,000.

On page 21, line 16, increase the amount by \$154,000,000.

On page 43, line 15, decrease the amount by \$264,000,000.

On page 43, line 16, decrease the amount by \$154,000,000.

On page 48, line 8, increase the amount by \$264,000,000.

On page 48, line 9, increase the amount by \$154,000,000.

Purpose: To amend the budget for fiscal year 2002 so that the small business programs at the Small Business Administration are adequately funded and can continue to provide loans and business assistance to the country's 24 million small businesses. It is necessary to restore and reasonably increase funding to specific programs at the SBA because the current budget request reduces funding for the Agency by a minimum of 26 percent at time when the economy is volatile and the Federal Reserve Board reports that 45 percent of banks have reduced lending to small businesses by making it harder to obtain loans and more expensive to borrow.

All funds are added to Function 376, which funds the SBA for FY 2002.

CREDIT PROGRAMS

\$118 million for 7(a) loans, funding an \$11 billion program

\$26.2 million for SBIC participating securities, will support a \$2 billion program

\$750,000 million for direct microloans, funding a \$30 million program

\$21 million for new markets venture capital debentures, funding \$150 million program

Total request for credit programs = \$166 million

NON-CREDIT PROGRAMS

\$4 million for the National Veterans Business Development Corporation

\$10 million for Microloan Technical Assistance, total of \$30 million

\$30 million for the Small Business Development Centers, total of \$105 million

\$30 million for New Markets Venture Capital Technical Assistance

\$15 million for the Program for Investment in Microenterprise

\$7 million for BusinessLINC

\$1.7 million for Women's Business Centers, bringing total to \$13.7 million

\$250,000 for Women's Business Council, bringing total to \$1 million

Total request for non-credit programs = \$98 million

Total request for credit and non-credit programs = \$264 million

THE NATIONAL ASSOCIATION OF GOVERNMENT GUARANTEED LENDERS, INC.,

Stillwater, OK, April 5, 2001.

Hon. JOHN F. KERRY, U.S. Senate, Washington, DC.

DEAR SENATOR KERRY: I am writing on behalf of NAGGL's nearly 700 members in support of your amendment, number 183, to the Budget Resolution that would revise the proposed budget for the Small Business Administration in fiscal year 2002. Specifically, your amendment would restore \$264 million to the SBA's budget in fiscal year 2002 of which \$118 million is earmarked for the agency's 7(a) guaranteed loan program. We strongly believe it is in the best interest of small business that your amendment be adopted.

The present budget proposes no fiscal year 2002 appropriations for the 7(a) loan program and instead proposes to make the program self-funding through the imposition of increased fees. The previous SBA Administrator testified before the House Small Business Committee last year that the 7(a) program was already being run at a "profit" to the government. This statement was confirmed in a September 2000 Congressional Budget Office report entitled "Credit Subsidy Reestimates, 1993-1999." Unfortunately, the budget as currently proposed would, in our view, have the effect of imposing additional taxes by increasing program fees. This result would be ironic given the Administration's push for tax cuts.

A recent survey of NAGGL's membership, who currently make approximately 80 percent of SBA 7(a) guaranteed loans, shows that if the budget were adopted as proposed, most lenders would significantly curtail their 7(a) lending activities. Therefore, small businesses would find it more difficult and expensive to obtain crucial long-term financing. The proposed budget would increase the lender's cost of making a loan by 75 percent and would increase the direct cost to the borrower by 12 percent. Any fee increase is unacceptable when the program is already profitable for the government.

The small business consequences of a slowdown in 7(a) guaranteed lending are manifold. Currently, according to statistics available from the Federal Deposit Insurance Corporation and the SBA, approximately 30 percent of all long-term loans, those with a maturity of 3 years or more, carry an SBA 7(a) guarantee. This is because lenders generally are unwilling to make long-term loans with a short-term deposit base. Therefore, reducing the availability of 7(a) capital to small businesses will have a significant effect on them and on the economy.

The average maturity for an SBA 7(a) guaranteed loan is 14 years. The average conventional small business loan carries an average maturity of one year or less. For those

conventional loans with original maturities over one year, the average maturity is just three years. The majority of SBA 7(a) borrowers are new business startups or early stage companies. The longer maturities provided by the SBA 7(a) loan program give small businesses valuable payment relief, as the longer maturity loans carry substantially lower monthly payments.

For example, if a small business borrower had to take a 5 year conventional loan instead of a 10 year SBA 7(a) loan, the result would be a 35%-40% increase in monthly payments. The lower debt payments are critical to startup and early stage companies. Small business loans, where they can be found, would have vastly increased monthly payments. This at a time when the economy appears to be struggling and when bank regulators have spurred banks to tighten credit criteria, the current budget only proposes to worsen the situation for small business borrowers.

Your amendment would help mitigate this problem. It would provide small businesses far better access to long-term financing on reasonable terms and conditions at a time when their access to such capital is critical. We urge your colleagues to support your initiative and adopt your amendment.

Respectfully,

ANTHONY R. WILKINSON.

U.S. HISPANIC CHAMBER  
OF COMMERCE,  
Washington, DC, April 5, 2001.

Hon. JOHN F. KERRY,  
Ranking Member, Senate Small Business Committee, Russell Senate Office Building, Washington, DC.

DEAR SENATOR KERRY: We write in support of the Kerry/Bond Amendment to restore the \$264 million of the proposed cuts to the Small Business Administration's (SBA) budget. We further support the amendment's proposal to have these funds come out of the contingency fund and not the tax cut or the Medicare/Social Security trust fund. Your amendment would ensure that the small business programs at the SBA are adequately funded and continue to provide loan and business assistance to Hispanic-owned small businesses in this country.

The United States Hispanic Chamber of Commerce (USHCC) represents the interest of approximately 1.5 million Hispanic-owned businesses in the United States and Puerto Rico. With a network of over 200 local Hispanic chambers of commerce across the country, the USHCC stands as the pre-eminent business organization that promotes the economic growth and development of Hispanic entrepreneurs.

The SBA programs that are currently in jeopardy of losing funds have been extremely instrumental in helping our Hispanic entrepreneurs start and maintain successful businesses in the United States. Without these programs, the Hispanic business community will suffer huge setbacks to the strides we have been able to achieve over the years. It is therefore necessary to restore and increase funding to these programs so that the Hispanic business community will continue to experience economic growth and success in this country.

We support your efforts and urge other members of the Senate to support the Kerry/Bond amendment in restoring these necessary funds to the SBA.

Respectfully submitted,

MARITZA RIVERA,  
Vice President for Government Relations.

INDEPENDENT COMMUNITY  
BANKERS OF AMERICA,  
Washington, DC, April 5, 2001.

To: Members of the U.S. Senate.  
From: Independent Community Bankers of America.

Re: ICBA support the Kerry-Bond amendment to preserve small business loan programs and to prevent new fees.

On behalf of the 5,300 members of the ICBA, we support the Kerry-Bond amendment to the FY 2002 budget and urge all Senators to join in support of this important bipartisan amendment. The amendment to be offered by Senators John Kerry (D-Mass) and Christopher Bond (R-Missouri) would prevent new hidden taxes in the form of additional fees imposed on small business lenders and borrowers. The proposed FY 2002 Budget pending in the Senate would levy significant new fees on the SBA 7(a) loan program. These increased fees would jeopardize needed lending and credit to small business at the worst possible time as our economy has slowed dramatically and small business lending has become more difficult. Therefore, the Kerry-Bond amendment would restore the appropriation for the 7(a) small business loan program and prevent onerous new fees from being levied on borrowers and lenders.

This amendment shares bipartisan support. The Chairmen and Ranking Members of the Senate Small Business Committees oppose new taxes on small businesses in the form of higher loan fees. Specifically, Small Business Committee Chairman Chris Bond and Ranking Member John Kerry have asked for the \$118 million appropriation to support the 7(a) loan program to be restored in the FY 2002 Budget. The ICBA applauds the bipartisan efforts of Senators Kerry and Bond in offering their amendment.

We urge every Senator's support for the Kerry-Bond amendment so that small businesses have continued access to needed credit and that the 7(a) loan program is not devastated by taxing new fees.

ASSOCIATION OF SMALL BUSINESS  
DEVELOPMENT CENTERS,  
Burke, VA.

Hon. JOHN F. KERRY,  
Ranking Minority Member, Senate Small Business Committee, Russell Senate Office Building, Washington, DC.

DEAR SENATOR: We wish to commend you for proying an amendment to the Budget Resolution calling for the restoration of funding for the Small Business Development Center (SBDC) and 7(a) Guaranteed Loan Programs. During this period of economic downturn, it is even more important that funding for these two critically important programs not be compromised as hundreds of thousands of small businesses will need management and technical assistance and long term debt financing more than ever.

As for the SBDC Program specifically, we are proud to report that the most recent impact survey of the program found that in one year SBDC's helped small businesses create 92,000 new jobs, generate \$630 million in new tax revenues, increased by 67,000 the number of entrepreneurs counseled above previous levels, and provided training to more than 84,000 small business owners than were trained during the last reporting period. In all, over 750,000 small business and prevention clients received SBDC assistance in the last fiscal year. And that was during good economic times.

Your seeking funding of \$105,000,000 for the SBDC Program is bipartisan as Senator Kit Bond, Chairman of the Senate Small Business Committee in his Views and Estimates letter to the Senate Budget Committee called for the same funding level. Likewise Senator Bond opposed any funding cut for

the 7(a) Guaranteed Loan Program. Both recommendations we applaud.

We also understand that your amendment would restore funding for the New Markets and PRIME programs. This association has taken no formal position regarding funding for these well intended programs.

Thank you for soliciting our views. We appreciate your leadership regarding these two outstanding SBA programs.

Sincerely,

DONALD T. WILSON,  
Director of Government Relations.

WESST CORP,  
Albuquerque, NM, April 5, 2001.

Hon. JOHN F. KERRY,  
U.S. Senate, Washington, DC.

DEAR SENATOR KERRY: On behalf of the Association of Women's Business Centers, I am writing to voice our full support for the amendment you have introduced (#183) which would provide adequate funding for the Small Business Administration's programs targeted to lending and business assistance.

As you know, the SBA programs serve the credit and business development needs of women, minorities, and low-income entrepreneurs all across the United States and Puerto Rico. It is absolutely critical that these programs, particularly the Women's Business Centers Program, the Microloan Program, PRIME, and the National Women's Business Council, receive the funding you have recommended in your amendment so that existing and emerging entrepreneurs throughout the country continue to have opportunities to realize the American dream of business ownership.

As an advocate for tens of thousands of women business owners across the country, the AWBC applauds your vision and leadership in helping to ensure that these critical SBA programs continue to serve the entrepreneurial and credit needs of the American people.

We look forward to working with you in the months ahead to ensure the passage of this amendment.

Thank you very much for your ongoing support.

Sincerely,

AGNES NOONAN,  
Chair, AWBC Policy Committee, Executive Director.

THE ASSOCIATION OF WOMEN'S  
BUSINESS CENTER,  
Boston, MA, April 5, 2001.

Hon. JOHN F. KERRY,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR KERRY: As the President of the Association of Women's Business Centers (AWBC), I am writing on behalf of the 80+ Women's Business Centers who have been funded by the Small Business Administration's Office of Women's Business Ownership. We write to support your amendment #183 to increase funding for the SBA programs and, in particular, to fund the Women's Business Center Program at \$13.7 million.

The President's budget only provides level funding of \$12 million for the WBC program, which is inadequate at this time as women are continuing to start two-thirds of all new businesses. Clearly, we need an increase in funding at this time to continue to ensure that we are keeping pace with this fast growth and providing services to as many women business owners as possible.

Thank you very much for your continued support and advocacy on our behalf.

Sincerely,

ANDREA C. SILBERT,  
President, AWBC, and CEO Center for Women & Enterprise.

HOUSTON, TX,  
April 5, 2001.

Senator JOHN KERRY,  
Washington, DC.

DEAR SENATOR KERRY: Since I work with small business owners every day to help them obtain the financing they require to start a new business, acquire a business or expand an existing business, I wanted you to know that I strongly support you and your efforts regarding Amendment 183.

Thank you for your continued good work.  
Sincerely,

CHAIRMAN ROSALES.

#### TAIWAN ARMS SALE

Mr. McCONNELL. Mr. President, the Administration recently informed Congress of its arms sales package to Taiwan. Having long followed political developments both in Taiwan and the People's Republic of China, PRC, and having visited both sides of the Strait, I wanted to make a few brief comments.

First, weapon systems and military hardware aside, the political message transmitted to Taipei through the sales is that America's commitment to Taiwan remains steadfast and strong. This is an appropriate message delivered in a timely manner by the new Administration and with the encouragement and support of Congress.

Second, the package generally reflects a balanced approach to Taiwan's defensive needs, particularly on and under the sea. While the Arleigh Burke-class destroyers equipped with the Aegis radar system are not part of this year's sale, and would not be operational until 2010, the Administration has left open the option to pursue Aegis-equipped destroyers at a future date. Aegis is still on the table. America has bolstered Taiwan's defensive capabilities through Kidd-class destroyers, P-3 aircraft, submarines, and other weapons, and has deferred decisions on other sales, such as tanks and helicopters, pending a review of Taiwan's ground forces needs.

Finally, the PRC must understand that its continued buildup of short-range ballistic missiles opposite Taiwan and aggressive modernization of its military for offensive purposes will all but guarantee the future sale of Aegis-equipped destroyers, or other technologically advanced weapons system. If the Mainland is serious in wanting a peaceful resolution of differences with Taiwan, senior military and civilian leaders must accept America's obligations under the Taiwan Relations Act to provide "defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability."

Simply put, every Chinese offensive military action will have a Taiwan-U.S. defensive reaction. Beijing can make clear its intentions by immediately renouncing the option to use force against Taiwan, and by reducing its military deployments across the Strait.

I intend to continue to follow political and military developments not just in Taiwan and the PRC but throughout the region. I urge Beijing and Taipei to continue dialogue as the means of resolving their differences.

#### ARMENIAN GENOCIDE

Mr. LEVIN. Mr. President, I want to speak today in order to commemorate the Armenian Genocide. As you know, today marks the 86th anniversary of this tragic occurrence. It is important that we take time to remember and honor the victims, and pay respect to the survivors that are still with us.

April 24th marks the inception of brutal genocidal campaign to eliminate Armenians from the Turkish Ottoman Empire. From the period of 1915-1923, approximately one and a half million Armenians perished under the rule of the Turkish Ottoman Empire. During this horrific period, the Armenian people fell victim to deportation, conscription, torture, starvation and murder.

The Armenian genocide was the result of a consciously orchestrated government plan. The German Chancellor to the Ottoman Empire, Count Wolff-Metternich, stated at the time that, "In its attempt to carry out its purpose to resolve the Armenian question by the destruction of the Armenian race, the Turkish government has refused to be deterred neither by our representations, nor by those of the American Embassy, nor by the delegate of the Pope . . ."

In a century filled with loss and bloodshed, the Armenian Genocide marked the first effort of the century to systematically eliminate an entire people. Unfortunately, the world did not learn from this massacre, and the past 86 years have been stained by reminders that there are those who will stop at no means to spread their agendas of hate and intolerance.

Nobel Laureate writer Elie Wiesel has said that the denial of genocide constitutes a "double killing" for it seeks to rewrite history by absolving the perpetrators of violence while ignoring the suffering of the victims. We must acknowledge the horrors perpetrated against the Armenian people to preserve the memory of the victims and to remind the world that we cannot and will not forget these crimes against humanity. However, it is not enough to simply remember those who have perished. We must speak out against such tragedies, and dedicate ourselves to ensuring that evils such as the Armenian Genocide are not revisited on our planet. This is the highest tribute we can pay to the victims of any genocide.

The Armenian people have preserved their culture, faith and identity for over a thousand years. In the last century alone, the Armenian people witnessed the horrors of two World Wars and several decades of Soviet dominance in order to establish modern Armenia. I hope all my Senate colleagues

will join me in honoring and remembering the victims of the Armenian Genocide.

Mr. FEINGOLD. Mr. President, today marks the 86th anniversary of the beginning of one of the great human tragedies of history, the Armenian genocide. Between 1915-1923 as many as 1.5 million Armenians were systematically murdered by the Ottoman Empire and hundreds of thousands more were forced to flee their homeland. These Armenians were victims of a policy intended to isolate, exile and even extinguish the Armenian population.

Although nearly a century has passed since this tragedy occurred, we must not wipe it from our consciousness and let it become the forgotten past. Rather, we must continually learn from mistakes of the past so that they are not repeated again and again in the future. Recent history in Bosnia, Rwanda and Kosovo tells us that systematic brutality, that the attempt to wipe out an entire population because of its ethnicity, is still possible. The atrocities that took place in these countries remind us that we still have much to learn.

The international community has made some progress, standing up for justice, holding those responsible for genocide and other serious violations of international humanitarian law accountable for their crimes. By establishing war crimes tribunals, like the International Criminal Tribunal for the Former Yugoslavia, ICTY, and the International Criminal Tribunal for Rwanda, ICTR, we have begun to send the clear message that such atrocious crimes will not go unpunished. I am pleased that the former Yugoslav leader Slobodan Milosevic, who has been wanted on international war crimes charges for his role in the campaign of violence and hate in the Balkans, has finally been arrested. I hope that his arrest marks the beginning of full justice being served with regard to him and others responsible for the unspeakable crimes committed in the Former Yugoslavia.

Each day we continue to read about and witness ethnic violence and violations of human rights in countries across the globe. Sadly, in many places this is simply the norm. Clearly there is a great deal of work that still needs to be done to prevent human tragedy. So today as we commemorate the Armenian genocide, let us honor the men, women and children whose lives were lost between 1915-1923, as well as the other countless victims of violence throughout history, and recommit ourselves to efforts that foster acceptance of others, respect for human rights, democratic principles, and peaceful relations between people and nations at all levels.

Mrs. FEINSTEIN. Mr. President, today marks the 86th anniversary of the beginning of the Armenian Genocide. I rise today to acknowledge and commemorate this terrible crime and to help ensure that it will never happen again.

On April 24, 1915, the Ottoman Empire launched a brutal and unconscionable policy of mass murder. Over an eight year period, 1.5 million Armenians were killed, and another 500,000 were driven from their homes, their property and land confiscated.

We who enjoy the blessings of freedom and liberty must commemorate this event to ensure that it does not happen again. Far too often during this century we have remained silent as men, women, and children have been singled out, rounded up, and killed because of their race, ethnicity, or religion. By acknowledging the Armenian Genocide we state loud and clear: Never again.

Never again will we let brutal violations of human rights go without condemnation. Never again will we turn our backs on the oppressed and give comfort to the oppressors. Never again will we fail to stand up for justice and human dignity. Never again will we allow genocide to be perpetrated on this Earth.

Even as we remember the tragedy and honor the dead, we also honor the living. I am proud that my home State of California is home to a vibrant Armenian American community, a half a million strong. They have enriched the culture of our state and have participated in every aspect of civic life. They are a shining example of a people who overcame the horrors of the past to create a better future.

Let us never forget the victims of the Armenian Genocide. Let us ensure that they did not die in vain. Let us come together to remember the crimes of the past and to pledge to one another that they will not happen again in the future. Let us look ahead with Armenia and the Armenian American community to a brighter tomorrow.

Mr. JOHNSON. Mr. President, I rise today to commemorate the 86th anniversary of the Armenian genocide. From 1915 to 1923, 1.5 million Armenians were executed in the first genocide of the 20th Century.

Sadly, there are some people who still deny the very existence of this period which saw the institutionalized slaughter of the Armenian people and the dismantling of Armenian culture. To those who would question these events, I refer them to numerous documents kept by the United States National Archives, which detail these horrifying events. The entire Armenian population in the Ottoman Empire was forcibly removed from their historic homeland in present-day eastern Turkey. A million and a half people were massacred and another 500,000 were exiled. As the United States Ambassador to the Ottoman State at the time, Henry Morgenthau, said, "I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915."

Tragically, the Armenian genocide was the first in a series of genocides in the 20th Century. Adolf Hitler, in preparing his genocide plans for the Jews, predicted that no one would remember the atrocities he was about to unleash. After all, he asked, "Who remembers the Armenians?"

And that is why we come together every year at this time to remember. The genocide of the Armenians did take place, and we do remember. That memory must be kept alive, to keep us vigilant in our efforts to prevent such atrocities from ever happening again.

Mr. REED. Mr. President, I rise to join with Armenians throughout the United States, in Armenia, and around the world in commemorating the 86th anniversary of the Armenian Genocide.

This week, members and friends of the Armenian community will gather together to remember April 24, 1915. On that day, nationalist forces of the Ottoman Empire started an eight year campaign of massacre and deportation that would impact the lives of every Armenian in Asia Minor.

Armenian men, women, and children of all ages fell victim to murder, rape, torture, and starvation. By 1923, an estimated 1.5 million Armenians had been systematically murdered and another 500,000 had their property stolen and were driven from their homeland. With World War I occupying center stage at the time, the Armenian people's situation went unaided.

Unfortunately, the residents of Armenia still suffer today. Armenian efforts at democracy and economic development have been hindered by regional conflict, natural disasters and internal strife. Yet, despite these setbacks, the Armenian people have maintained a persevering spirit that has kept hope alive. In the past few months, optimism has grown as internationally mediated peace talks between Armenian President Kocharian and Azerbaijani President Aliyev have made progress.

Commemoration of the Armenian genocide is important not to keep alive the memory of those Armenians who died, but to remind the world of its duty. As Archbishop Desmond Tutu noted in 1999, "It is sadly true what a cynic has said, that we learn from the history that we do not learn from history. And yet it is possible that if the world had been conscious of the genocide that was committed by the Ottoman Turks against the Armenians, the first genocide of the twentieth century, then perhaps humanity might have been more alert to the warning signs that were given before Hitler's madness was unleashed on an unbelieving world." It is my hope that the world has begun to pay attention to history because, unlike in 1915, the international community heeded the warning signs in Kosovo and did not sit back and watch, but reacted quickly and decisively. We must always bear witness to the terrors of yesterday so that we can respond to acts of oppres-

sion in the future, ensuring that the deaths of all victims of hatred and prejudice are not in vain.

Therefore, on the 86th anniversary of the terrible tragedy of the Armenian genocide we remember the past and rededicate ourselves to supporting Armenia as it looks to the future.

Mr. KENNEDY. Mr. President, April 24 marks the 86th anniversary of the beginning of one of the most tragic events in history, the Armenian Genocide. In 1915, the Ottoman Turkish Government embarked on a brutal policy of ethnic extermination. Over the next eight years, 1.5 million Armenians were killed, and more than half a million were forced from their homeland into exile.

In the years since then, the Armenian diaspora has thrived in the United States and in many other countries, bringing extraordinary vitality and achievement to communities across America and throughout the world. The Armenian Assembly of America, the Armenian National Committee of America, and other distinguished groups deserve great credit for their impressive work in maintaining the proud history and heritage of the Armenian people, and guaranteeing that the Armenian Genocide will never be forgotten.

One of the enduring achievements of the survivors of the Genocide and their descendants has been to keep its tragic memory alive, in spite of continuing efforts by those who refuse to acknowledge the atrocities that took place. In Massachusetts, the Armenian Genocide is part of that curriculum in every public school. Legislation was introduced last year in the U.S. House of Representatives to support recognition of the Armenian Genocide, and the French government approved a law to recognize the Armenian Genocide in January.

It is time for all governments, political leaders and peoples everywhere to recognize the Armenian Genocide. These annual commemorations are an effective way to pay tribute to the courage and suffering and triumph of the Armenian people, and to ensure that such atrocities will never happen again to any people on earth.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

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

I would like to detail a heinous crime that occurred in my own home State of Oregon in 1995. A twenty-seven year old Stockton, California man murdered a Medford, OR couple, Roxanne Ellis, 53 and Michelle Abdill, 42. The women, who ran a property management business, disappeared December 4, 1995

after showing the man an apartment for rent. He shot them both in the head, and the bodies were left bound and gagged in a truck bed. The Stockton man later confessed, saying he targeted the women because they were lesbians, and he figured they wouldn't have families that would miss them.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

#### FINAL PASSAGE OF S. 27

Mr. DODD. Mr. President, on Monday, April 2, the Senate took long awaited action to approve legislation to address what the American people believe is the single most egregious abuse of our campaign finance system—that is the unlimited flow of soft money permeating our elections system. If the McCain-Feingold legislation did nothing else but close the soft money loophole, it would still be reform.

But my colleagues have accomplished much more in this legislation. I congratulate Senators MCCAIN and FEINGOLD for their vision in recognizing the powerfully negative influence of the money chase on our political system and their dogged persistence and patience in striving to craft a consensus on reform legislation that seeks to address the worst aspects of the current system.

But the Senate would not have passed this bill were it not for the equally determined leadership of TOM DASCHLE and the Democratic caucus. No member has been more consistent in support of reform than our leader, and no member has worked harder behind the scenes to hold the Democratic caucus together in support of this measure.

At the same time, I must also acknowledge the powerful influence of my colleague, the chairman of the Rules Committee, for his unstinting devotion to the principles of free speech and his unyielding belief that most, if not all, proposed campaign finance reforms are not only unwise, but unconstitutional.

While a majority of this body clearly do not share Senator MCCONNELL's views, I appreciate his willingness to allow the debate to continue unhindered, unlike debates in the past, by repeated cloture votes.

This debate has exemplified the Senate at its best. The free flow of debate, the unrestricted offering of well reasoned amendments, and the opportunity for all members to be heard are the hallmarks of this, the world's greatest deliberative body.

Finally, I must express my great respect to my colleagues in the Democratic caucus, under the very able leadership of Senator DASCHLE, who, along

with a small group of courageous Senators across the aisle, have put aside their own short-term political interests and voted time and again in favor of comprehensive, commonsense, and badly-needed campaign finance reform.

I predict that this debate will find its place in history as one of the greatest Senate debates in the last decade, both in terms of its content and its impact on our system of democracy.

I have been privileged and honored to serve as floor manager of this measure, along with the Senator from Kentucky. As my colleague from Kentucky has alluded, the stakes in this debate were considerable for many interested parties.

And although members disagreed over the need for this measure, and amendments to it, Senators were not disagreeable in their debate. I thank my colleagues for their patience and cooperation throughout this debate.

I also compliment my good friend, the Majority Leader, for his willingness to allow the Senate to have a free-flowing debate. This issue is of paramount importance to the continued health of this democracy, and his willingness to provide for free and open debate on the McCain-Feingold measure has produced, in this Senator's mind, an even better bill than was originally brought to the Senate floor.

I am hopeful there will be an opportunity to make further improvements in this measure in the House. Although I am supporting the McCain-Feingold legislation, there are two provisions, in particular, that cause me concern.

First is the so-called millionaire's provision which purports to level the playing field for candidates who face wealthy challengers. While that may be a laudable goal, the amendment ignores the fact that many incumbents who face wealthy challengers are sitting on healthy campaign treasuries, sometimes amounting to several million dollars. In those instances, this amendment serves as an incumbent protection provision.

As I stated before passage of the Durbin-Domenici-DeWine amendment to fix this inequity, I am not satisfied that the Durbin amendment went far enough to recognize the considerable war chests that some incumbents have. I urge my colleagues in the House to carefully consider this provision with an eye to improving it.

Secondly, although I reluctantly supported the Thompson-Feingold amendment to increase the individual hard money contribution limits, I did so only in the context of achieving broader reform. Quite simply, the increase in the hard money limits was the price to be paid to gain sufficient support from our Republican colleagues for banning soft money and reining in so-called sham issue ads.

Of particular concern to me is the indexing of these increases which only ensures the continuing upward spiral of money into our political system. While I understand the desire of some to

avoid a future debate on reform, the fact that the hard money limits had not been increased since 1974 is what created both the pressure and the opportunity for this reform.

Again, I urge my colleagues in the House to consider these limits and avoid the temptation to increase them ever higher; otherwise, there may come a time when the price for reform becomes too great for this Senator.

I am hopeful that the House will act expeditiously on this measure. While I do not suggest that House members forego their responsibility and right to thoroughly debate and amend this legislation, I encourage them to do so in a manner that will allow this bill to reach the President's desk before the end of this year.

I also thank the numerous staff who have assisted in facilitating consideration of this measure, not the least of which are our Democratic floor staff, including Marty Paone, Lula Davis, and Gary Myrick, along with the outstanding Democratic cloakroom staff.

I also extend my special appreciation to Andrea LaRue of Senator DASCHLE's staff. She, along with Mark Childress and Mark Patterson, were invaluable in offering much needed expertise and guidance on this legislation.

Of equal assistance were the staffs of Senators FEINGOLD and MCCAIN, including Bob Schiff, Ann Choiniere and Mark Buse, as well as Laurie Rubenstein of Senator LIEBERMAN's staff and Linda Gustitus of Senator LEVIN's staff.

I also wish to acknowledge the contributions of Senator MCCONNELL's staff, including Hunter Davis of his personal staff, and Tam Somerville and Andrew Siff of the Rules Committee staff.

Finally, I thank Shawn Maher of my personal office staff, and Veronica Gillespie, my Elections counsel on the Rules Committee staff, as well as Kennie Gill, the Democratic staff director and chief counsel of the Rules Committee.

One final point, Mr. President. The great justice, Learned Hand, once spoke of liberty as the great equalizer among men. In his words, "the spirit of liberty is the . . . lesson . . . (mankind) has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest."

That, my colleagues, should be the ultimate test of whether any matter considered by this body is worthy of support. The McCain-Feingold legislation passes that test.

#### THE ARKANSAS PLAN

Mrs. LINCOLN. Mr. President, today I am announcing my vision for the design of the tax cut and I am sending a message to my Chairman and to the President that I am willing to work with them on a tax cut as long as it recognizes that Arkansas taxpayers

also work hard and have earned a share of the surplus in the form of a tax cut.

The President's tax rate cuts are skewed to the rich and the average Arkansan won't see a real cut, if at all, until 2006. Forty-nine percent of Arkansans have adjusted gross incomes under \$20,000 and the average household income in Arkansas is \$29,019. About 85 percent of Arkansas families don't make enough to qualify as one of the "model families" that President Bush has been talking about in his speeches. In other words, only about 15 percent of Arkansans would get a \$1,600 tax cut. The other 85 percent of Arkansans deserve a real tax cut too.

I believe in creating a new ten percent bracket like the President, but under my plan it be fully implemented this year. That will bring thousands of dollars to Arkansas families immediately and over the next 5 years will mean significantly more to the Arkansas economy than will the Bush plan.

I also want to expand the 15 percent bracket by \$10,000. This will mean that 85 percent of Arkansas taxpayers and small businesses never make it out of the 15 percent bracket and will never pay more than about an 11 percent effective Federal tax rate. Expanding the 15 percent bracket would mean that a couple earning \$55,000 would get \$980 more than they would under the Bush plan, regardless of whether they have children or not. The only way for average citizens to get a significant tax cut under the Bush plan is to have children. Single people and people who are no longer raising their children deserve a tax cut too, and I propose to give them one.

I do believe in doubling the child tax credit as the President proposes. However, I believe it should be partially refundable for working taxpayers as their Earned Income Tax Credit is phased out. Approximately 140,000 Arkansas families, or 37 percent of Arkansas families with children, will not benefit from the President's plan because their incomes are too low to owe federal income taxes. By making the child tax credit partially refundable, low-income working parents would get the benefits of the child tax credit just like I do. At the same time, I believe it is unfair to phase out the value of exemptions and credits for high income individuals. What's good for the goose is good for the gander. If we are going to give a \$1,000 per-child tax credit to working families, then we should give that credit to all working families, rich and poor.

We also must fix the Alternative Minimum Tax, AMT. I have asked the President in person, I have asked him in writing, "How will your Administration address the AMT?" Many of you may not know that the AMT, which is designed to prevent affluent taxpayers from sheltering their tax liability in credits and deductions, will soon have an unintended consequence for 37 million Americans. These middle income workers will be paying higher rates and

filing out more forms if we do not act. At a minimum, the AMT exemptions should be raised and indexed, and family credits should be protected from the AMT's bite.

With our private savings rate at a negative for the first time in our history we should encourage more private savings by increasing the IRA and 401(k) contribution limits as part of an overall retirement security and expansion act. Increasing private savings is an important way to keep capital reserve up and interest rates low. The fiscally conservative thing to do is include the pension bill in this year's tax relief.

I support eliminating the so-called marriage penalties in the tax code, but we should do it in a way that is fair to widows and singles. Taxpayers should not be punished for getting married, but nor should they be punished when their spouse dies or if they choose not to get married.

Lastly, the estate tax should be repealed within the next three years. While the revenue estimates of repealing the estate tax have been high, I believe there are many ways we can ensure that death is no longer a taxable event without breaking the treasury. In the short run, we may have to provide for a mark-to-market fee to provide for a stepped-up basis for inherited property or a higher capital gains rate for inherited property, but no tax would be paid unless the asset was sold. In short, the U.S. tax code should not be an obstacle to family farmers and small business people who want to pass on their legacy.

At the end of the day, Vice-President CHENEY would get about a \$1 million tax cut under my plan, instead of the \$2.4 million he would get under the Bush plan. However, average Arkansans would see thousands more and those dollars will be spent and saved in Arkansas where they belong. A family of four with a \$30,000 income would get a \$1,600 per year tax cut which is approximately \$484 more per year than they would get under President Bush's plan. My plan would put more money in Arkansas and the South, and would cost \$400 billion less than the President's \$1.6 billion plan. That cost savings is important, because ultimately, I will not support any tax cut plan that would endanger the long-term solvency of Social Security and Medicare and inhibit our ability to retire the national debt.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, April 23, 2001, the Federal debt stood at \$5,673,969,614,244.57. Five trillion, six hundred seventy-three billion, nine hundred sixty-nine million, six hundred fourteen thousand, two hundred forty-four dollars and fifty-seven cents.

Five years ago, April 23, 1996, the Federal debt stood at \$5,106,372,000,000. Five trillion, one hundred six billion, three hundred seventy-two million.

Ten years ago, April 23, 1991, the Federal debt stood at \$3,433,997,000,000. Three trillion, four hundred thirty-three billion, nine hundred ninety-seven million.

Fifteen years ago, April 23, 1986, the Federal debt stood at \$1,959,815,000,000. One trillion, nine hundred fifty-nine billion, eight hundred fifteen million.

Twenty-five years ago, April 23, 1976, the Federal debt stood at \$600,771,000,000. Six hundred billion, seven hundred seventy-one million, which reflects a debt increase of more than \$5 trillion, \$5,073,198,614,244.57. Five trillion, seventy-three billion, one hundred ninety-eight million, six hundred fourteen thousand, two hundred forty-four dollars and fifty-seven cents during the past 25 years.

#### TRIBUTE TO SENATOR ALAN CRANSTON

Mr. DURBIN. Mr. President, I ask unanimous consent that the following tributes by current and former members of the Senate and House of Representatives at the memorial service for the late Senator Alan Cranston be printed in the RECORD.

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

#### MEMORIAL TRIBUTE TO SEN. ALAN CRANSTON BY SENATOR MAX CLELAND

On February 6, over 200 admirers gathered in Hart SOB 902 to pay tribute to our dear friend Alan Cranston, who left us on the last day of the year 2000. Joining with me as sponsors of this event were the Senators from West Virginia (Mr. Rockefeller), California (Mrs. Feinstein and Mrs. Boxer), and Massachusetts (Mr. Kennedy), and the former Senator from Wyoming (Mr. Simpson). Ten members and former members spoke, and a short film about Senator Cranston's recent activities was shown. At the end of the program, Alan's son, Kim, spoke. It was a memorable afternoon for all in attendance.

The Program Cover pictured Alan and his beautiful, now seven-year old, granddaughter Evan. On the second page appeared the following words of the Chinese poet and philosopher Lao-Tzu, which Alan carried with him every day:

A leader is best  
When people barely know  
That he exists,  
Less good when  
They obey and acclaim him,  
Worse when  
They fear and despise him.  
Fail to honor people  
And they fail to honor you.  
But of a good leader,  
When his work is done,  
His aim fulfilled,  
They will all say,  
"We did this ourselves."—Lao-Tzu

The program participants and sponsors were shown on the third page as follows:

Musical Prelude: United States Army Strings.

Introductions and Closing: Judge Jonathan Steinberg.

Speakers: Senator Max Cleland, Senator Alan Simpson, Senator Edward Kennedy, Senator Diane Feinstein, Senator Barbara Boxer, Representative G.V. (Sonny) Montgomery, Representative John A. Anderson,

Representative George Miller, Senator John Kerrey, Senator Maria Cantwell, and Kim Cranston.

Family in attendance: Kim Cranston, Colette Penne Cranston, Evan Cranston, and Eleanor (R.E.) Cranston Cameron.

Event Sponsors: Senators Cleland, Simpson, Rockefeller, Kennedy, Feinstein, and Boxer.

The back page of the program set forth Senator Cranston's Committee assignments and the acknowledgments for the Tribute, as follows:

Senator Cranston's 24 years of service in the United States Senate exceeded that of any California Democratic Senator and was the second longest tenure of any California Senator. He was elected Democratic Whip seven times, and his service of 14 years in that position is unequalled. His Committee service was:

1969-93: Committee on Banking, Housing, and Urban Affairs.

1971-73 and 1975-79: Chairman, Subcommittee on Production and Stabilization.

1973-75: Chairman, Subcommittee on Small Businesses.

1979-85: Chairman or Ranking Minority Member, Subcommittee on Financial Institutions.

1985-87: Ranking Minority Member, Subcommittee on Securities.

1987-93: Chairman, Subcommittee on Housing and Urban Affairs.

1969-81: Committee on Labor and Public Welfare (Human Resources).

1969-71: Chairman, Subcommittee on Veterans' Affairs.

1971-73: Chairman, Subcommittee on Railroad Retirement.

1971-81: Chairman, Subcommittee on Child and Human Development.

1981-93: Committee on Foreign Relations.

1981-85: Ranking Minority Member, Subcommittee on Arms Control, Oceans, International Operations, and Environment.

1985-93: Chairman or Ranking Minority Member, Subcommittee on East Asian and Pacific Affairs.

1977-92: Committee on Veterans' Affairs, Chairman or Ranking Minority Member.

In addition, Senator Cranston served on the Committees on the Budget (1975-79) and on Nutrition and Human Needs (1975-77), and on the Select Committee on Intelligence (1987-93).

Event Planning and Arrangements: Bill Brew, Fran Butler, Kelly Cordes, Chad Griffin, Bill Johnstone, Susanne Martinez, Dan Perry, Ed Scott, Jon Steinberg, Lorraine Tong, Elinor Tucker.

As I said at the Tribute, I would not be in this body were it not for Alan Cranston. My colleague, the Senator from Washington (Ms. Cantwell), expressed that same sentiment in her remarks. Alan Cranston will always be an inspiration for us. He will live in our memories and the memories of all those who served with him and were touched by the causes he championed and in the hearts and minds of those he so ably represented in his beloved State of California. Following are the transcript of the Tribute, and the document, "Legislative Legacy, Alan Cranston in the U.S. Senate, 1969-1993," that was distributed at the Tribute.

#### A LEGISLATIVE LEGACY—ALAN CRANSTON IN THE U.S. SENATE, 1969-1993

##### AN OVERVIEW

As an eight-year-old boy, Alan Cranston lost his first election to be bench monitor in his Los Altos grammar school. As an adult, he became the state's most electable Democrat and one of the most durable and successful California politicians of the 20th Century. During decades of political and social turbulence, when no other California Demo-

crat was elected more than once to the U.S. Senate, Alan Cranston won four Senate terms in the Capitol, serving a total of 24 years. It is a California record unmatched except for the legendary Hiram Johnson, a Republican who held his Senate seat from 1917 to 1945.

In addition, Cranston was elected to seven consecutive terms as the Senate Democratic Whip, the number two party position in the Senate. That, too, is an all-time Senate record for longevity in a leadership post. Alan Cranston is credited with rebuilding the Democratic Party in California through grass-roots activism and organization. In the mid-1950s, he organized the then-powerful California Democratic Council, a vast network of party volunteers that in 1958 helped sweep Republicans from most statewide offices. Edmund G. "Pat" Brown was elected governor, Democrats seized the California Legislature, and Cranston began two terms as State Controller of California.

Senator Cranston sought the Democratic Party nomination for President in 1984. His campaign, though ultimately unsuccessful, raised to new heights public support for international arms control and a superpower freeze on nuclear weapons.

In terms of political style, Senator Cranston drew upon an earlier Earl Warren tradition of bipartisanship, and was well served by a diversified base of political support. Representing the California mega-state in the Senate, Cranston skillfully balanced a wide array of insistent and sometimes conflicting state interests. He steered a delicate course between the state's giant agribusiness interests and those of consumers, family farmers and farm workers; he weighed the claims of home builders and growing communities with the need to preserve open space and wildlife habitats; and he nurtured and led the California epicenter of the national arms control and peace movements, while effectively representing the home of the nation's defense and aerospace industry.

The record of Congressional measures from 1969 to 1993 adds up to a catalogue of literally tens of thousands of legislative actions on which there is a Cranston imprint. These include the large events of the past quarter century—Vietnam, the Cold War, civil rights, the rise of environmentalism, conflict in the Middle East, Watergate, the energy crisis, and equal rights for women.

The Cranston mark is on thousands of bills and amendments he personally authored affecting virtually every aspect of national life. Without this legislative record, America would be a different and poorer place in the quality of life and environment for a majority of our people. Rivers would be more polluted, the air less clean, food less safe. Fewer opportunities would be open to all citizens, fewer advances made in medicine and science; there would be less safe conditions in workplaces.

Despite facile and careless cynicism about the work of government, the achievements of the nation's Legislative Branch from the mid-1960s to the early 1990s have made a distinct and meaningful difference in the lives of millions of Americans. Alan Cranston's particular contributions to progressive legislation is notable. The difference a single U.S. Senator can make is demonstrated by a study of all votes cast in the Senate over two decades in which the outcome was decided by less than five votes and often by a single vote. Between 1969 to 1989 there were over 2,500 such votes in which Alan Cranston's influence often was critical to the outcome.

The figures do not include thousands of legislative decisions reached by less narrow margins. Nor do they reflect the additional influence of Senator Cranston as a behind-the-scenes strategist, nose-counter, marshaler

of forces and shrewd compromiser who always lived to fight another day. The sum of thousands of "small", quiet, often little-noticed and uncelebrated legislative actions over near a quarter-century adds up to steady progress in nearly every area of American life.

As for one man's place in such a record, former Vice President Walter Mondale called Senator Cranston: "The most decent and gifted member of the United States Senate."

Even with so diverse a legislative record, certain points of emphasis and priority emerge. Although never an ideologue, Senator Cranston was passionate in pursuit of world peace, for extending opportunities for those left out of the mainstream, and for protecting the natural environment. Asked by a reporter what he "goes to the mat for," Cranston replied: "Peace, arms control, human rights, civil rights, civil liberties. If there's an issue between some very powerful people and some people without much power, my sympathies start with those who have less power."

During the eight years that remained to him after he left the Senate, Alan Cranston worked tirelessly on issues of war and peace, speaking out for human rights, and for preserving the environment of the planet for present and future generations. In 1996, he became chairman of the Global Security Institute, a San Francisco-based research organization which he founded together with former Soviet President and Nobel Peace Prize winner Mikhail S. Gorbachev to promote world peace and the abolition of nuclear weapons.

##### EARLY HISTORY

Few people in modern history have entered the U.S. Senate as freshmen better prepared than Alan Cranston to combine lifelong concerns over foreign and domestic policy with an understanding of the inner procedural, political and human workings of the institution. It was a preparation which made it possible to gain and hold on to Senate power as Democratic Whip for 14 of his 24 years in Congress.

In 1936, as a 22-year-old foreign correspondent he joined the International News Service (later part of United Press International), immediately after graduating from Stanford University. He was sent on assignments to Germany, Italy, Ethiopia and England in years leading up to the outbreak of World War II. He personally watched and listened as Adolph Hitler whipped his audiences into mass frenzy. He saw Mussolini strut before tens of thousands in Rome. He covered London in the fateful years "while England slept," and he watched as the world seemed helpless to act against the dark march of fascism.

Three years later, following his return to the United States, Cranston learned that an English-language version of Hitler's "Mein Kampf" was being distributed in the U.S. He was alarmed to discover that, for propaganda purposes, parts of the text had been purposefully omitted. These were passages which would have made clear the nature and full extent of Hitler's threat to the world. To warn Americans against Hitler, he wrote a complete and accurate version of the book, with explanatory notes making the Dictator's real intentions clear. It was published in tabloid form and sold a half-million copies before a copyright infringement suit brought by agents of the Third Reich put a stop to its further distribution.

Senator Cranston's strong commitment to human rights and peace, and his alertness to the dangers of totalitarian one-man rule, were clearly shaped by witnessing first hand the rise of fascism in Europe and the deadly chain of events leading to the Second World

War and its Cold War aftermath. His first work in Washington, serving in 1940 and 1941 as a representative of the Common Cause for American Unity, entailed lobbying Congress for fairness in legislation affecting foreign born Americans. This activity gave him an opportunity to learn at close range the inner workings of the Senate.

With the outbreak of war, Cranston served as Chief of the Foreign Language Division of the Office of War Information in the Executive Offices of the President. When offered a draft deferment in 1944, he declined it and enlisted in the Army as a private, where he was first assigned to an infantry unit training in the U.S. Because of his experience as a foreign correspondent and journalist, he became editor of *Army Talk*. His rank was sergeant by VJ Day.

While still in the Army, he began researching and writing a book in hopes of influencing international decision-making in the post-war world. It was an account of how, in the aftermath of the first World War, a handful of willful men in the U.S. Senate, opposed to President Wilson and the 14-point peace plan, managed to prevent U.S. participation in the League of Nations, ultimately undermining the peace and setting the stage for a second World War.

In 1945, "The Killing of the Peace" by Alan Cranston was published. The New York Times rated it one of the 10 best books of the year. The book served to warn against the folly of repeating the same isolationist mistakes that followed World War I. The Cranston book also presented a meticulous description of the byzantine inner workings of the U.S. Senate during the debate over ratification of the League of Nations treaty. At age 31, the future Senator revealed a full appreciation of the critical role played by individual egos, personalities and interpersonal relationships in the legislative process, and showed how awareness to such human factors could be critical in determining the outcome of a vote.

The immediate post-war years in Washington and publication of *The Killing of the Peace* marked the real beginning of Cranston's determination to become a member of the Senate. He wanted to enter that institution where he could promote world peace and causes of social justice.

From 1949 to 1952 he served as national president of the United World Federalists, dedicated to promoting peace through world law. He was a principal founder of the California Democratic Council, established to influence the direction of the Democratic Party in the state, and was elected as the first CDC President in 1953 and served until 1958.

He was elected California state controller in 1958, which placed him among the top ranks of the party's statewide elected officials. He was reelected in 1962 and served until 1966.

#### SENATE ACHIEVEMENTS

##### *Foreign affairs*

Elected to the Senate in 1968, during the height of fighting in Vietnam, Senator Cranston quickly allied with so-called "doves" which were a distinct minority in Congress at that time. Together with Senator Edward Brooke of Massachusetts, Alan Cranston co-authored the first measure to pass the Senate cutting off funds to continue the war in Southeast Asia. The Brooke-Cranston Amendment paved the way to the U.S. Congress ultimately asserting its prerogatives over military spending and provided for the orderly termination of U.S. military involvement in Vietnam.

Senator Cranston played key roles in shaping the SALT and START arms pacts, and in framing debate on virtually every new weap-

on system, arms control issue and foreign treaty from 1969 to 1993. A recognized leader on the Foreign Relations Committee, Alan Cranston was a highly respected voice on behalf of arms control, nuclear non-proliferation, peaceful settlement of international conflict, human rights around the world, sensible and compassionate approaches to immigration and refugee issues, foreign trade and long range solutions to problems of famine, disease and oppression in the Third World.

In addition to U.S.-Soviet relations, those specific areas of foreign policy in which Senator Cranston made a significant impact include the passage of the Panama Canal Treaty, efforts to bar military aid to the Nicaraguan contras, aid to Israel and efforts toward peace in the Middle East, helping to bring a halt to U.S. involvement in a civil war in Angola, and opposition to apartheid in South Africa.

##### *Environmental legislation*

Among the legacy of Alan Cranston's years in the Senate is a wealth of parks, wilderness areas, wildlife refuges, wild rivers, scenic areas and coastline protection measures. With just two bills in which Alan Cranston and Rep. Phillip Burton of San Francisco teamed—the Omnibus Parks Act of 1978 and the Alaska Lands Act of 1980—as much acreage was placed under federal protection as all the parks lands created earlier in the 20th Century combined. Senator Cranston was the Senate sponsor of legislation creating the Golden Gate National Recreation Area, the Santa Monica Mountains National Recreation Area, the Channel Islands National Park, a 48,000 acre addition to the Redwoods National Park, and the inclusion of Mineral King into Sequoia National Park. He sponsored 12 different wilderness bills which became law between 1969 and 1982. He helped close Death Valley National Monument to open pit mining and was an architect of the Endangered Species Act and the Marine Mammal Protection Act.

He worked diligently throughout his Senate years for the California Desert Protection Act, that called for setting aside millions of acres of desert lands as wilderness and park preserves, and creating better government conservation efforts for a vast portion of the California desert ecosystem. His efforts ultimately came to fruition when Senator Dianne Feinstein, during the first Clinton term, was able to enact into law the Cranston crusade for desert preservation.

Even this long list does not tell the complete story of Senator Cranston's environmental record, which includes clear air and clean water legislation, control of toxic wastes, liability for oil spills, restoration of fish and wildlife resources, and support for new technologies for cleaner fuels. No other period in American history has seen so much been accomplished for environmental protection as the last three decades of the 20th Century, and Senator Cranston was an essential but largely unheralded architect of these policies.

##### *Civil rights/Civil liberties*

In his first term as a Senator, Alan Cranston wrote the amendment that extended to federal workers the civil rights protections earlier mandated to private employers. He also played a key strategic role in ending a filibuster which threatened the extension of the Voting Rights Act. He authored the first Senate bill to redress grievances of Japanese-Americans interned in relocation camps during the Second World War. Cranston co-authored landmark legislation protecting the civil rights of institutionalized persons. He was the first U.S. Senator to employ an openly-gay person on his staff, and he fought official discrimination against homosexuals

in immigration laws and access to legal services.

Aware from his days as a journalist of the importance of protecting news sources, Senator Cranston fought the Nixon Administration to preserve an unfettered and free press in America. He successfully blocked legislation in 1975 that would have created an Official Secrets Act threatening First Amendment freedoms.

##### *Health care*

Both on the Senate and Human Resources Subcommittee on Health and Scientific Research, and as Chairman of the Senate Veterans Affairs Committee, Senator Cranston worked to secure for all individuals access to health services necessary for the prevention and treatment of disease and injury and for the promotion of physical and mental well-being.

He authored the law, and extensions and refinements of it, that provided for the development nationwide of comprehensive medical services (EMS) systems and for the training of emergency medical personnel. He steered the original Emergency Medical Systems Act through Congress, then persuaded a reluctant President Nixon to sign it into law. A few years later, the Cranston measure was quite possibly responsible for saving another President's life. It was at a special trauma care unit at George Washington University Medical Center in Washington, D.C., established in part by the EMS law, where President Reagan's life was saved following an assassination attempt in 1981.

Senator Cranston also wrote laws that have made a broad range of family planning services available to individuals who cannot otherwise afford or gain ready access to them. He authored legislation that improved services to families of sudden infant death syndrome (SIDS) and encouraged expanded research efforts. Legislation to support community efforts to control venereal diseases and tuberculosis were shaped by Senator Cranston. He authored several provisions of law substantially increasing funding for AIDS research, education, and public health activities.

He wrote the law that expanded and coordinated federal research in arthritis, and he helped create the National Institute on Aging. Totally separate from his role as a federal legislator, he helped establish the private, non-profit Alliance for Aging Research to spur research scientists to find answers for the chronic disabling conditions of aging, including Alzheimer's Disease.

His commitment to healthy aging was also personal. A lifelong physical fitness buff and accomplished runner, he set a world record for his age group in 1969, running the 100-yard dash in 12.6 seconds. He broke his own record three years later running in the University of Pennsylvania Relays at age 59.

##### *Rights for persons with disabilities*

When Alan Cranston came to the Senate, disabled persons had virtually no legal protection against unjust discrimination and there had been little progress toward removing physical barriers that excluded them from public buildings and facilities. He was acutely aware of these injustices due to crippling disabilities suffered by members of his immediate family. He often characterized people with disabilities as "the one civil rights constituency any of us can be thrust into without a moment's warning." He led efforts to enact legislation in 1973 for the first time outlawing discrimination in federally-funded programs and requiring that federally-funded buildings be made accessible to disabled individuals, and promoting the employment and advancement of persons with disabilities by the federal government and federal contractors. The sloping sidewalk

curbs for wheelchairs on nearly every street in the nation stem from Alan Cranston's early advocacy for disabled people.

#### *Children and families*

Senator Cranston authored a rich body of legislative reforms that humanized and vastly improved adoption assistance, foster care, child custody and child care. He was a leader in sponsoring child abuse and neglect prevention laws and in investigating the abuse of children in institutions.

He was responsible for extending the original authorization of the Head Start preschool education program. He authored successful bills extending Medicaid coverage for prenatal health care for low-income pregnant women. He co-wrote the landmark L975 law designed to provide educational opportunities for handicapped children, and he was a strong supporter and developer of children's nutrition and feeding programs throughout his time in the Senate.

Many private organizations honored Cranston for his work, including the North American Conference on Adoptable Children, which named him "Child Advocate of the Year" in 1979, the California Adoption Advocacy Network, the Child Welfare League of America, the Day Care and Child Development Council of America, the California Child Development Administrators Association, and the JACKIE organization, which cited "his leadership in obtaining national adoption and foster care reform."

#### *Veterans*

Though opposed to the Vietnam War, he was deeply compassionate toward those who fought America's most unpopular war. Able to separate the war from the warriors, he was an early champion for the Vietnam veterans, especially for improving health care in VA hospitals and clinics.

In his first year in the Senate, Alan Cranston was assigned chairmanship of a Labor Committee subcommittee dealing with veterans. He used that post to draw national attention to inadequate and shocking conditions in VA hospitals, which were overwhelmed by the returning wounded from the Vietnam war. When a full Committee on Veterans Affairs was established in the Senate, he chaired its subcommittee on health and hospitals and later chaired the full committee for a total of nine years.

Among a few highlights of this record: improvements in compensation for service-connected disabled veterans, education and training programs tailored to Vietnam-era veterans, requirements for federal contractors to give preference in hiring for Vietnam-era and disabled veterans, and a long list of initiatives to improve health care in the VA medical system.

Alan Cranston wrote the law that created a national network of VA counseling facilities known as "Vet Centers" to aid returning Vietnam veterans in coping with readjustment to civilian society, and helping to identify and treat the condition known as post-traumatic stress syndrome.

He was among the first to draw attention to the health problems believed associated with exposure to Agent Orange and he gave the VA specific authority to provide Vietnam veterans with medical care for those conditions. He also helped bring to light health problems of veterans who were exposed to nuclear radiation as part of U.S. government atomic testing in the 1940s and 50s, and he fought to allow compensation for subsequent medical effects of the exposure.

For more than a decade he fought to allow veterans legal rights to appeal VA decisions on claims for benefits and ultimately succeeded in establishing the United States Court of Veterans Appeals. His very last day in the Senate, Alan Cranston was responsible

for passage of three veterans bills: Veterans Re-employment Rights, Veterans Health-Care Services, and the Veterans Health Care Act.

#### *Women*

Another constant throughout the Cranston Senate career has been his efforts aimed at eradicating sex discrimination and providing equal opportunities for women.

He worked hard, both in the U.S. Congress and in the California legislature, for passage and ratification of the Equal Rights Amendment. He authored provisions of the Equal Employment Opportunity Act precluding discrimination in hiring and retaining women employees and those who are pregnant. On the Banking Committee he pioneered laws prohibiting discrimination against women in obtaining credit and benefiting from insurance policies.

He consistently championed women's access to health care and reproductive health services. He was the Senate author of the Freedom of Choice Act to codify into federal law the *Roe v. Wade* court decision.

#### ADDENDA

Any summary of the Cranston record would be incomplete without also noting the following:

Senator Cranston helped lead the opposition in the U.S. Senate to G. Harrold Carswell and Clement Haynsworth, both nominated by President Richard Nixon to the Supreme Court. Both nominations were defeated.

When Robert Bork was nominated to the Court, it was a vote count taken by Democratic Whip Alan Cranston that first showed the nomination could be overturn. Senator Cranston skillfully used this information to persuade swing vote Senators to reject the Bork nomination.

During the Carter Presidency, when Cranston had the patronage power to recommend federal judicial appointments, he instead established a bipartisan committee with the California Bar Association to assist in screening candidates based on merit. Under this system four women, four African-Americans, two Latinos and one Asian were appointed to the U.S. District Court in California. In addition, one African-American, one woman, and one Latino were appointed as U.S. Attorneys.

He long championed federal support for mass transit, including the Surface Transit Act, which for the first time opened up the Federal Highway Act to allow mass transit to compete for federal funds on an equal basis with highways.

As Housing Subcommittee Chairman on the Banking Committee, he lead efforts to pass the Urban Mass Transit Act of 1987, the McKinney Homeless Assistance Act, and the Housing and Community Development Act of 1987 and then succeeded in gaining enactment of the Cranston-Gonzalez National Affordable Housing Act in October 1990, a landmark law that set a new course for federal housing assistance, stressing production of affordable housing units, improved FHA insurance, elderly and handicapped housing expansion, special housing for people with AIDS, and reform of public housing. Passage of the Housing and Community Development Act of 1992 culminated Senator Cranston's 24 years of major legislative achievements steadily aimed at making housing more available and fostering community economic growth.

He helped strengthen the Resources Conservation and Recovery Act, the basic law which allows the federal government to regulate hazardous waste material to insure that it is safely managed.

He headed efforts in the Senate to break the filibuster mounted against Labor Law Reform.

Over more than two decades, he provided diligent oversight and direction for all federal volunteer programs, including the Peace Corps, VISTA, the ACTION Agency, Foster Grandparents, and the Retired Senior Volunteer Program.

#### POST-SENATE CAREER

From 1993 until his death just hours before the first day of 2001, Alan Cranston pursued the opportunity afforded by the end of the Cold War to abolish nuclear weapons. He worked on the issue as Chairman of the Gorbachev Foundation, and then as President of the Global Security Institute in San Francisco, which he helped establish. An important accomplishment of the Institute was to put together, with a coalition of groups called Project Abolition, the Responsible Security Appeal, which calls for action leading to the elimination of all nuclear weapons. At Cranston's urging, this document was signed by such notable people as Paul Nitze, General Charles Horner, and former President Jimmy Carter. Project Abolition, founded by Cranston, promises to be the foundation for a wider nuclear abolition campaign in the years ahead.

During the decade of the 1990s, he traveled to the Indian Subcontinent, in Central Asia and elsewhere, working with national leaders to accommodate peaceful change in the world, especially the development of pluralistic, free societies in the former Soviet Union. In the very last years of his life, he was more often at home, in the sprawling Spanish Colonial style residence in Los Altos Hills, where he was surrounded by three generations of his family. He assembled a magnificent library encompassing a wide range of California, American and International history and politics, in thousands of books, artworks, memorabilia and photographs. To this library would come many friends, political allies old and new, former staff and an occasional journalist intent on an interview. Former Senator Cranston made this assessment of his priorities in one interview, just months before his death:

"I am an abolitionist on two fronts. I believe we have to abolish nuclear weapons before they abolish us, and I think we have to eliminate the incredibly important and significant role of money in politics before we're going to have our democracy working as it should work. If we blow ourselves up in a nuclear war, no other issue, no matter how important it may seem to be, is going to matter. And until we get money out of politics, money is going to affect every issue that comes along, often adversely to the interest of the public. So let's abolish both."

Years earlier, while preparing to retire from the United States Senate, he expressed gratitude for the opportunities to make a difference on behalf of California and people throughout the world:

"It has been a privilege I have cherished and for which I can never adequately thank the people of California. It is my hope that many of the accomplishments achieved over these past 24 years in the areas of world peace, the environment, and in the effort to secure a better quality of life for millions of Americans will survive and serve as the basis of continued progress by others in behalf of future generations."

FEBRUARY 6, 2001, 2:00 PM, MEMORIAL TRIBUTE TO ALAN CRANSTON, U.S. SENATOR 1969—1993, HART SENATE OFFICE BUILDING, ROOM 902, WASHINGTON, D.C.

Judge JONATHAN STEINBERG. On behalf of the sponsors, Senators Cleland, Simpson, Rockefeller, Kennedy, Feinstein, and Boxer, welcome to this Memorial Tribute to Senator Alan Cranston. At the outset, I want to express our appreciation to the U.S. Army

Strings for their Prelude musical offerings today. Also, thanks to C-Span for covering this event. This turnout today is itself a wonderful testimonial to the work of this man of the Senate, Alan Cranston, and we are absolutely delighted that his family has journeyed here from California to share in this Tribute—his son, Kim, and daughter-in-law Colette, and their child and Alan's granddaughter, Evan, who graces the program cover with Alan, and we are so happy that Alan's wonderful, 91-year-old sister, R.E., who wrote a biography about Alan, is with us as well.

During his 24 years as a Senator, Alan Cranston did much to better the lives of the people of his state and the people of this country and all countries. You will hear much about those efforts and achievements today. In my role, I am a proxy for the scores of staff who worked for Alan Cranston over his Senate career. I began in March 1969, almost at the beginning, and stayed 21 and a half years. I've always thought that one could tell a great deal about the kind of person someone was by how those who worked most closely with him felt about him. I think it speaks volumes about Alan Cranston—and Alan is the way he asked his staff always to refer to him—that so many worked with him for so long. In fact, five worked for him for his full 24 years; two others worked more than 20 years; five others for 15 years or more, and three or four for 10 or more years. I doubt that any Senator has surpassed that record for staff loyalty and staff satisfaction.

Alan was wonderful to work for and with. He was not a saint, of course, but he was a gentlemen, through and through. He gave respect to get respect. To me he was a mentor, a teacher, an inspiration, and a friend. I loved him. I will always remember him. And when I do, I will think back to our last meeting—at dinner on November 13. He was strong and vibrant and full of passionate commitment to the cause of the elimination of nuclear weapons. I remember our hugging goodbye. It was a great hug, but I wish I had held on a littler longer.

A few announcements before we get to our speakers: First of all, I want to remind each of you to please sign one of the guest books in the lobby before you leave. I hope you've each gotten a program. If not, you can pick one up on the way out. And also on the way out, there is a paper on Senator Cranston's legislative legacy in the Senate.

Before I introduce our first speaker, I want to note the presence here—now or expected—in addition to those who will speak, of many distinguished members of the Senate and House: Senator Rockefeller, who is one of our sponsors; Senator Lugar, Senator Leahy, Senator Dodd, Senator Bingaman, Senator Sarbanes, Senator Dorgan, former Senator DeConcini, and Representatives Waxman, Filner, Roybal, Capps, and Harmon. Also with us is former Senator Harris Wofford, who spoke so eloquently at the Grace Cathedral in San Francisco on January 16, and Mark Schneider, former Director of the Peace Corps, which Harris Wofford was instrumental in starting, in which Senator Dodd served as a volunteer in Central America, and in which Alan Cranston believed so deeply. We are also honored to have the presence of three Cabinet members, all from California—Secretary of Transportation Norman Mineta, Secretary of Agriculture Ann Veneman, and Secretary of Veterans Affairs Tony Principi.

Our first speaker has timed it impeccably. (Laughter.) Our first speaker is, fittingly, the lead sponsor of today's tribute. Simply put, Alan Cranston loved Max Cleland—as do I. They first met in 1969, and I'm sure Senator Cleland will talk about that. Alan was

truly overjoyed at Max's election to the Senate in 1996. I want to express my gratitude to Max personally and to his staff, Bill Johnstone, Farrar Johnston, and Andy VanLandingham, for all of their help with the arrangements for this event.

And now our first speaker, Senator Max Cleland of Georgia. (Applause.)

Senator MAX CLELAND. Thank you all very much and thank you Jon Steinberg for being uncharacteristically brief. (Laughter.)

I see so many of my colleagues here. Really my first real exposure to the United States Senate came about because Alan Cranston cared. He was an unusual individual. I visited the Dirksen Building here for the first time in December of 1969. I was still basically a patient in the VA hospital system when I was asked to appear before something called the Senate Subcommittee on Veterans' Affairs about how the VA was handling returning Vietnam war veterans. That meeting was chaired by a tall, lean freshman California senator named Alan Cranston. I really didn't know him then, but it became the start of a three-decade friendship.

In 1974, I ran unsuccessfully for Lieutenant Governor in Georgia, and, other than my own priority for my own race, my second priority in the whole world in terms of politics was to make sure Alan Cranston got re-elected in 1974. Actually, Alan was very kind to me, and brought me out to California, and I got a chance to campaign for him and kind of clear out some of the cobwebs that I had in my own mind about politics and about life. We campaigned together and I found him just as inspiring and invigorating in that campaign as when I had met him in '69.

It's amazing how life works. Little did I know that, as someone from Georgia, someone from California would be critical in my continued service in public life. I did lose my race for lieutenant governor in 1974 and, therefore, was unemployed. Christmas Eve, 1974, I called my friend Jonathan Steinberg, and said "I just wanted to wish you the happiest of holidays" and said "by the way, if you're looking for anybody who wants to work, I'm available." He said, "are you serious?" And I said "I am deadly serious." Well, it was Alan Cranston that made it possible for me to get a \$12,500-a-year job on the staff of the Senate Veterans' Affairs Committee in the spring of 1975. That was more money than I'd ever made in my whole entire life.

I was there a couple of years and, in the summer of 1976, when a young man from Georgia named Jimmy Carter seemed like he was destined to win the Democratic primary, Alan Cranston talked to me and said "I think you ought to be the new head of the Veterans' Administration." That scared me to death. I said, "well, if you really think I can do it, let's go for it." He talked to Senator Nunn and talked to Senator Talmadge. By the August convention of the American Legion, a convention in Seattle, Senator Cranston pulled Jimmy Carter aside and said "I have two requests." I don't know what the other one was, but he said "the second one is to make Max Cleland head of the VA." And Jimmy Carter replied, "I love Max Cleland."

So President Carter wound up in January 1977 as President of the United States, and Alan Cranston wound up as Chairman of the Veterans' Affairs Committee, and I only had two friends in Washington; one was President, and the other was Chairman of the Veterans' Affairs Committee. (Laughter.) So I was nominated in March of 1977, as the youngest head of the Veterans' Administration, and, thanks to Alan Cranston, I was confirmed in record time, and took over that agency, with really the support of Jon Steinberg and Alan. They were my constant guides, and sometimes spurs, and encouraged me all the way.

One of the things I'm proudest of that we were able to do, is put together something called the Vet Center Program. Alan Cranston, since 1971, had been introducing in the Senate something called psychological readjustment counseling for Vietnam veterans and their families. It would usually pass the Senate, die in the House, and had no Presidential support; but I was able to talk to President Carter, we were able to put the administration behind this legislation. It passed, and we were able to sign it into law, and I put together one of the very first Vet Centers in 1980 in Van Nuys, California. Now, there are some 200 scattered around the country. Some three-and-a-half million veterans and their families have received counseling through this program, and Alan Cranston was basically responsible.

Let me just say that, in 1973, he helped to pass legislation that helped the disabled in this country, that required that federally-funded buildings be made accessible, that promoted the hiring and advancement of people with disabilities by the Federal government. He established something called the Architectural and Transportation Barriers Compliance Board, which has the responsibility for setting standards for accessibility and for assisting and forcing compliance with accessibility laws. I was named to that Board by President Carter in 1979.

Throughout the remainder of the 70s, Alan worked to revamp federally-assisted state voc-rehab programs, sponsoring laws that gave priority to the most seriously disabled. In 1980, he sponsored legislation to make some improvements in that program at the VA, and in 1990 he was a leading cosponsor of the Americans with Disabilities Act, which has been a pioneer piece of legislation, as we all know.

I just want you to know that I wouldn't be in the United States Senate, I wouldn't have ever been head of the Veterans' Administration, without the mild-mannered distinguished gentleman from the great state of California. I mourn his passing, and we will miss him. God bless you. (Applause.)

Judge JONATHAN STEINBERG. Thank you very much, Max. Speaking of the ADA, I see Senator Harkin here. We welcome you.

Alan referred to our next speaker as his best friend on the Republican side. They served together as their respective party leaders on the Veterans' Affairs Committee and as Assistant Floor Leaders, or Whips, as they were also called. Another tall, lanky, hairline-challenged Alan, former Senator Alan K. Simpson of Wyoming.

Senator ALAN K. SIMPSON. Jonathan and former colleagues and friends and family, Kim, Colette, Evan, and Eleanor, and Cabinet members, including one Norm Mineta, who I met at the age of 12 in the war relocation center at Hart Mountain. He was behind wire, I wasn't, and I should have been and he shouldn't have. (Laughter.) But, anyway, it's a long, wonderful friendship, with a guy I love, and I'm so damn proud of you, pal, even when you did that when you were in Boy Scouts, I'll never forget. (Laughter.)

Well, it's a great honor and privilege to honor my old friend. To be asked is very, very moving to me, and I want to share just a few memories and thoughts about a very special friend. I came to the Senate in '79. Al was Chairman of the Veterans' Affairs Committee, and that's when I first met Max. I said, "Max, you have a wonderful job there, Secretary of Veterans Affairs; veterans never pick on each other—ha, ha, ha." Well, anyway, it was an interesting time, Max, wasn't it? Well, enough of that. Butch is here and he would correct anything that I said. But it fell to my pleasant luck to soon become the ranking member in 1980, the Reagan Administration. Well, I knew who Al was, I knew of

his journalistic prowess, of his warning to his countrymen about Adolf Hitler, and the two versions of "Mein Kampf", one for domestic consumption and one for the naïve and the unwary, and Alan was sending out the alert. I knew of his athletic achievements and his stamina, and I very soon learned of his powerful loyalty to America's veterans.

He was so cordial to me, and his staff, so very helpful to this new, pea-green freshman. And what a staff it was: Jon Steinberg, Ed Scott, Bill Brew, Babette Polzer. Well, I sought their counsel, and plumbed their expertise. Al would occasionally check up on me, "how are you? Can we be of more help?" I said, "I need a lot more help." But then I built my own staff. And, oh, to all of you who will be deprived of staff one day. Staff deprivation is a serious issue (laughter); it is the most shocking of the transitions (laughter), and my wife, a beautiful woman of 46 years, she said "Alan, your staff is gone, you have no staff, they are not here, and I am not one of your staff." (Laughter.) But, there was Biblical precedent for this, you look it up in the Good Book, it says, "Jacob died leaning on his staff". (Laughter.) Now, so along came Ken Bergquist and one Tony Principi, in those early years. Tony seems to have moved along nicely in life, a wonderful human being with rare gifts, who has been bestowed again on the veterans and the people of this country. He will be serving very wisely and very well as Secretary of Veterans Affairs, and I'm damn proud of you, too, pal.

Tom Harvey then came on. But Tony and Jon Steinberg became a very dynamic duo, they worked with Tom Harvey in those early years. And, as I say then, in '80, I became in the majority, and the first call I received after the election was from Al Cranston. Of course, who else? In that cheery voice, he said "congratulations, Mr. Chairman." Well, I thought, the power, I felt the surge . . . (laughter) . . . and I thought how like him to do that. Well, we cranked out some good legislation together. With Sonny here, another dear friend on the other side of the aisle, and John Paul Hammerschmidt, then Bob Stump, those were men of my faith, my political faith. And Sonny used to sit next to me and say: "Don't do it pal. I know what you're going to do. Just shut up, won't you?" (Laughter.) I know we're not going to let that get away now, Sonny.

Anyway, the changing of the guard went well. The only hitch was that all of the veterans organizations had selected National Commanders and Officers from California. Well, you know how that goes. And now their guy was gone, and the cowboy from Wyoming was in the saddle. Well that was very much fun to watch, I loved it. It was painful for Jonathan, but I loved it. And we were able to, when I took over, we were able to get Steinberg's statutory language down to one paragraph in one page. We never let him go two pages with one paragraph. And he had a tendency to do that.

Then, in 1984, I was honored to become the Assistant Majority Leader, and who was the Assistant Minority Leader? Al Cranston. We worked closely together. We enjoyed each other, we trusted each other. We gave good support and counsel to Bob Dole and George Mitchell, and we thought it was a silly idea, but that we oughta make things work. And even when Al was running for President, imagine me, being the ranking member of a committee with Kennedy and Hart and Cranston, all three of them running for President. I went to them and I said "you cannot use these chores of mine for your great cycle, and I won't ever use the committee to embarrass you" That's the kind of friendship I had with Ted, with Al, with Gary, it was

very special, and it can be that way again. I urge it upon you all. Anyway, he ran for President, he gave it his all, as he did in every phase of his life, but the brass ring eluded, eluded his grip, and he came back to his Senate home, his pride intact. The only time I really, really flustered him, I was flush with power. Now a member of the majority, the fever of the majority burned in my bosom like a hot Gospel. I ambled over to his offices, his spacious offices, great view, two fireplaces, couches, cozy chairs, comfort, oh, and I said "Al, yes I think this will do very nicely [(laughter)] for my new Whip office." And the blood drained from his face. And I said: "No, no, just kidding, Al. You represent millions, I represent thousands. But when the wind shifts around here, and you Dems have the horses, don't let 'em come around my office with a tape measure and some greedy looking guy with a clipboard." And he said, "it's a deal." And we had a handshake. Then the time came, and no one ever darkened my door, no unworthies with tape measures ever came to see me.

So, we legislated together, we argued, we collaborated, we joshed and laughed with each other, we took pleasure in confusing people. Same first name, same hairstyle; "hairing impaired" is what we called it in political correctness. Same gaunt, emaciated frame. Same gait, same grin. And, people would come up to me and say, "I just think the world of you and you ran for President, and your views on the environment and nuclear freeze thrill me to death." (Laughter.) And I'd say, "No, no; I'm Al Simpson," and they'd say "Not you!" (Laughter.) And Al said he got that in reverse about, you know, twice a month, too, so we would compare that, and our constituents were often not in alignment, you might imagine. But the best one, though, and then I'm going to stop: Cheney, Gulf War, Secretary of Defense, he called and he said, "we're going over to a game in Baltimore; bring Ann", and we went over to the game, and 53,000 Oriole fans, "Hey Cheney, we love ya! Great stuff!" You know, I said "Boy, this is getting bad in here." We left in the seventh inning and went back down through the bowels, where all the guys, the beer drinkers and the cigar smokers, were, and they went "Hey, Cheney, baby, you're all right—we love ya!" And I turned to him and I said, "You know, they never treated you like this in Casper." And a guy from the audience said "Hey, I know the big guy, too; that's Al Cranston!" (Laughter.) So, I can assure you he loved that story (laughter), when I told him that.

Well, he handled life well. Stuck to his guns, worked through pain, met life full in the face, as if in a track meet, headed for the tape, and he loved that thrill. Many would have buckled; not Al. The pain of loss of the Presidency, the pain of loss of family members, the pain of loss of Norma to Parkinson's Disease that withered her, that withered their union. The pain of cancer, the pain of accusation and assault by the media, the pain from his peers at that time; we talked about that, oh yes we did, of that sense of being singled out, very painful.

And he left the Senate and went on to vital other things, and meaningful things in his life, undaunted, head high, smile on his face, fire in the belly, finishing the course laid out. And we knew on one unknown day he would be taken from us. And we shall miss him. But not mourn him. For he was a man of vigor and joy and vision. And my life is much richer for having shared a significant piece of it with Alan Cranston. A race well run, my old friend. God rest his soul. (Applause.)

Judge JONATHAN STEINBERG. Senator Simpson, we greatly appreciate your having rear-

ranged your schedule to come down here from New York and we know you have to leave to go back there.

We're going to show a very short film now, it's only two or three minutes, but we thought we ought to have Alan with us.

*Film*

NARRATOR. Moscow, Winter, 1998.

VOICE. Alan, you don't wear a coat in the Russian winter?

ALAN CRANSTON. I don't believe in them.

VOICE. He doesn't believe in them. It's like John Kennedy, it's . . .

NARRATOR. That was Alan in retirement. For most people, a time to slow down. But at 84, as he approached the Russian Duma, Alan Cranston was a man on a lifelong mission.

ALAN CRANSTON. I got into all this way back shortly after Hiroshima and Nagasaki. I met Albert Einstein. He told me, as he told others, that the whole human race could be wiped out by nuclear weapons. I've been working on it ever since.

NARRATOR. And forty years later, after trillions had been spent on weapons of mass destruction, Alan emerged with a collection of allies that astonished even him.

ALAN CRANSTON. One very dramatic moment, when Lee Butler, who had command of all of our nuclear weapons, gave his first public address at the State of the World Forum, in San Francisco, revealing the concerns he had developed about the whole deterrence policy and the ongoing dangers from reliance on nuclear weapons. And, as he spoke, presiding right next to him was Mikhail Gorbachev, the leader of the country that we would have destroyed. At the very end of this remarkable speech, Gorbachev and Butler stood up and embraced each other. That was a very dramatic moment.

Two weeks ago, General Butler and I made public a statement by 48 past and present heads of state and some 75 other national leaders from 48 nations, advocating specific steps towards abolition. Despite these and other favorable developments, there is significant doubt, skepticism, cynicism, and outright opposition to much of this. So, plainly, there is much to do, and we have a lot of hard thinking to do about what is in order. But let me say in closing that I do not believe that we need to wait, and I do not believe that we can afford to wait, until the end of the next century, to fulfill the obligation of our generation to all generations that preceded us and all generations that hopefully will follow us, to deal with the threat to all life that exists and is implicit in nuclear weapons. Thank you.

JUDGE JONATHAN STEINBERG. That film that was pulled together from a larger documentary by George Crile, a former CBS producer, who has developed documentaries on nuclear arms for "60 Minutes" and CNN. We are indebted to him and the Global Security Institute, of which Alan Cranston was President, for making that film available to us.

And now we will go a little bit out of order, and hear from one of this event's sponsors, the Senior Senator from California, whose work with Alan Cranston goes back many, many years and who, among many other achievements, carried on successfully with some very important environmental initiatives that Senator Cranston began.

Senator Dianne Feinstein of California. (Applause.)

Senator DIANNE FEINSTEIN. Thank you very much. Thank you. It's really a great honor and a privilege to be here. I just want to recognize two members of the California House delegation that came in. First is Lois Capps, from the Santa Barbara area, and Jane Harmon, from the southern Los Angeles area. And I'm not sure whether Paul Wellstone and Jeff Bingaman were introduced earlier, but I want everybody to know that they're here, too.

Alan Simpson is a hard act to follow, there's no question about that. I look at life this way: That we're here but for an instant in an eternity. No one really knows when that instant is over, and the only thing that really matters is what we do with that instant. Because, when it's over, there's nothing we can take with us other than the legacy, leave behind. Alan Cranston first came into my life in 1962, and that's when I first met his sister, R.E., and it was in his campaign for State Controller; believe it or not, it was the first campaign for which I ever volunteered, and so I've always kind of taken a special interest in a lot of his achievements. From that point on, I found this former long distance runner really to be a tireless workhorse for all Californians, and, as a matter of fact, for all Americans. This was a man who really loved the intricacies of the legislative process. He was the consummate vote counter. He possessed the uncanny ability to assess competing camps, to quickly find where votes would fall and determine whether the best course of action was to fight or compromise. Unfortunately, neither my friend Barbara Boxer nor I really had an opportunity to work with him in his nearly quarter of a century here in the Senate, but I think these traits are legendary, I think they're known by all.

Alan Cranston yielded a whole array of wonderful accomplishments, but I want to just concentrate today on a few things in the environment. And, in the true spirit of the legendary Californian conservationist John Muir, Alan Cranston became a very passionate architect of measures to preserve our God-given natural treasures. Alan Cranston was the original author of something called the Desert Protection Act. Shortly after I won in 1993, and knew I was coming to Washington, the phone rang, and Alan said, "Would you be willing to take over the effort to pass a Desert Protection Act?" And I said, "Of course." And we came back and we revised the language, rewrote the bill somewhat, changed some of the concepts, and moved it ahead. But, the basic originator of this, let there be no doubt, was Alan Cranston. The bill was filibustered, but we were lucky in the Senate, we got it through, and it became a reality in 1994. And the legislation created the largest park and wilderness designation in our nation. Over six million acres, two new National Parks, Death Valley and Joshua Tree, and one National Preserve, the East Mojave. And so because of that, we have actually protected, well I said six, but it's actually closer to seven million acres of pristine California desert wilderness for all time. Thank you, Alan Cranston.

He was also the lead sponsor of legislation which established the Golden Gate and the Santa Monica National Recreation Area, the Channel Islands National Park, a 48,000 acre addition to the Redwoods National Park, and the inclusion of Mineral King into the Sequoia National Park. He also sponsored twelve different wilderness bills that became law between 1969 and 1982. He helped close Death Valley National Monument to open-pit mining. He helped craft the Endangered Species Act, the Marine Mammal Protection Act, and with just two bills, on which he teamed with the late and wondrous Phillip Burton of San Francisco, the Omnibus Parks Act of 1978, and the Alaska Lands Act of 1980, as much acreage was placed under federal protection as all the park lands created earlier in the twentieth century combined.

So, I can truthfully say, without his service, America would have been a different, and certainly a poorer place, in terms of our environment and the quality of life for many of our citizens. Alan Cranston leaves a legacy of preservation that will be remembered and enjoyed and certainly by his beautiful

seven-year granddaughter Evan, who is here today. And I think, for my granddaughter, for Barbara's grandson, and for all of us, who really look at this land and want to do what we can to protect it.

This was a very special Californian. And life wasn't always easy for Alan, either. But I think his ability to keep his eye on the goal, to establish what he established, whether it was from the translation of Mein Kampf, to his work against nuclear devastation, to his environmental record, Alan Cranston truly lived that instant in eternity, and he has truly left us a good legacy. Thank you very much. (Applause.)

Judge JONATHAN STEINBERG. I'm sure there are others that I failed to mention. I thank Senator Feinstein. I know that Senator Reid is also here, and again I apologize if I missed anyone.

No Senator has worked on more causes closer to Alan Cranston's heart and soul than has Senator Edward M. Kennedy. I am particularly grateful to him, because it was through his chief counsel, Jim Flug, who is also here today, that I was introduced to and came to work for Alan in 1969. Senator Cranston and Senator Kennedy served together for 12 years on the Labor and Human Resources Committee, which Senator Kennedy chaired from 1987 to 1995 and again for 17 days this year.

Our next speaker, Senator Ted Kennedy of Massachusetts. (Applause.)

Senator EDWARD M. KENNEDY. Thank you, Jonathan. To Kim, and Colette, and Evan, and R.E.—let me begin by saying that I loved Alan Cranston too. I will never forget the 24 years of friendship and leadership and achievement with which he graced the Senate and the nation. And so it's a special privilege and honor for me to be part of this tribute today. Alan is profoundly missed by his family and friends, his colleagues in the Congress, and by all those around the world who pursue the great goals of hope and progress and peace.

I must say—I grew up thinking Cranston was a city in Rhode Island. But Alan taught each of us that Cranston stands for something else as well—the very best in public service.

Alan loved to lead behind the scenes—for 14 of those 24 Senate years with us, he was our Democratic whip, and he wrote the book about the job. In those great years, we used to tease Alan about the position, because so few people outside Congress knew what it involved. Since Alan was from California, a lot of people thought the Minority Whip was the name of a Leather Bar in Malibu. (Laughter.)

But seriously, Alan was a giant of his day on many issues, and his concern for social justice made him a leader on them all. We served together for many years on the Labor Committee and especially the Health Subcommittee, and his insights were indispensable. I always felt that if we'd had another Alan Cranston or two in those years, we'd have actually passed our Health Security Act, and made health care the basic right for all that it ought to be, instead of just an expensive privilege for the few.

Perhaps the greatest legacy that Alan left us was his able and tireless work for democracy and world peace. Every village in the world is closer to that goal today because of Alan. No one in the Senate fought harder or more effectively for our nuclear weapons freeze in the 1980's, or for nuclear arms control. His hope for a nuclear-free future still represents the highest aspiration of millions—even billions—throughout the world.

I also recall Alan's pioneering efforts to press for Senate action to end the war in Vietnam, and his equally able leadership for civil rights at home and human rights around the world. We know how deeply he

felt about injustice to anyone anywhere. And his leadership in the battle against apartheid in South Africa was indispensable.

Throughout his brilliant career, the causes of civil rights and human rights were central to Alan's being and his mission—and America and the world are better off today because Alan Cranston passed this way.

A key part of all his achievements was his unique ability to translate his ideals into practical legislation. Few if any Senators have been as skilled as Alan in the art of constructive legislative compromise that fairly leads to progress for the nation.

He was a vigorous supporter of the Peace Corps, a strong overseer of its performance, and a brilliant advocate for all the Peace Corps Volunteers. He was a champion for health coverage for returning Volunteers, and one of the first to understand that good health coverage had to include mental health services as well.

In many ways, his first love was the Peace Corps, and I know that President Kennedy would have been very proud of him. Even before he came to the Senate, he had his first contact with the Corps, as a consultant to Sargent Shriver. As Alan often said, he became involved because he was so inspired by my brother's vision of a world where Americans of all ages could work side-by-side with peoples throughout the world to put an end to poverty.

Because of Alan, the Peace Corps today is thriving as never before—free of the partisan tensions that divide us on other issues—spreading international understanding of Alan's and America's best ideals—educating new generations of young Americans about our common heritage as travelers on spaceship earth—teaching us about the beauty, the richness, and the diversity of other peoples, other languages, other cultures and about the enduring importance of the greatest pursuit of all—the pursuit of peace.

Near the end of John Bunyan's "Pilgrim's Progress," there is a passage that tells of the death of Valiant:

"Then, he said, I am going to my Father's. And though with great difficulty I am got hither, yet now I do not regret me of all the trouble I have been at to arrive where I am. My sword I give to him that shall succeed me in my pilgrimage, and my courage and skill to him that can get it. My marks and scars I carry with me, to be a witness for me, that I have fought his battle who now will be my rewarder.

"When the day that he must go hence was come, many accompanied him to the river-side, into which as he went, he said, 'Death, where is thy sting?' and as he went down deeper, he said, 'Grave, where is thy victory?' So he passed over, and all the trumpets sounded for him on the other side.'

We loved you, Alan. We miss you. And we always will. (Applause.)

Judge JONATHAN STEINBERG. Thank you, Senator.

Our next speaker was elected to the Senate seat that Alan occupied when he retired in 1993. She and Senator Cranston collaborated on many matters while she served in the House of Representatives, and she authored with Senator Feinstein a lovely resolution of tribute to Senator Cranston that was adopted by the Senate on January 22. On behalf of Alan's family and his extended family and all his friends, we express our gratitude for this most gracious action.

Senator Barbara Boxer of California. (Applause.)

Senator BARBARA BOXER. Thank you. To Alan's family, beautiful family, and to my dear colleagues who are here, it certainly has been my honor for the past eight years to serve in the seat that was held by Alan Cranston for 24 years.

Alan was a deeply caring human being and he cared even for those whose distant cries were not always heard in Washington.

From civil rights to arms control, from cleaning up the environment to improving the lives of our nation's veterans—Alan's work knew no geographic boundaries. But, sometimes Alan's legacy on women's rights gets overlooked and that is what I'm going to speak about today.

From his earliest days in the Senate, Alan made improving the lives of women a priority. In 1969, he supported the Equal Rights Amendment. Remember the ERA. It failed. But, in 1972 he became a proud cosponsor again of the ERA, and it passed. But he didn't stop there—he wrote letters and he got on the phone to California legislators considering the measure, urging their support, and his work paid off and California ratified it that same year. Unfortunately, not all the states followed suit. But Alan did not stop his advocacy. He continued over the next decade to push for the Amendment's ratification and when time ran out, he cosponsored another ERA in 1983 and another one in 1985, even before he knew he was going to have a granddaughter. Alan would not give up.

He worked to eliminate gender discrimination in the workplace. He was the principal author of the Equal Employment Opportunity Act Amendments of 1972, which extended protections against gender discrimination to federal employees in the workplace. And he was the very first member of Congress to introduce legislation aimed at eliminating wage discrimination in the federal workplace.

Alan understood the challenges faced by working mothers. He worked to provide child care for this nation's working families, introducing some of the first ever legislation to provide care both before and after school. He knew that many kids were without adult supervision, and I was so proud when under the Clinton Administration, we saw after-school funding increase from \$1 million in 1997 to \$845 million in 2001. Alan, you laid the ground work for that.

He also worked tirelessly to protect a woman's right to choose, authoring the Freedom of Choice Act to codify *Roe v. Wade*. I proudly carry that bill now. He pushed for increased access to family planning services for low-income women and teenagers, and fought to provide medical care to low-income pregnant women, who otherwise would have been left without it and would not have had healthy babies.

And he didn't stop there. He sought to level the financial playing field for women, pushing for laws prohibiting discrimination against women trying to obtain credit. And we forget today when we open our mailboxes and we keep getting all these applications for credit cards, there was a time when a woman could not get any credit. We thank you, Alan, although we have to restrain ourselves now and then. We appreciate the work you did.

Alan was responsible for the first appointment of a woman to the federal court bench in California. I've personally, and I know Dianne, we've recommended many women; five of those that I recommended to President Clinton were nominated and confirmed. Alan laid that ground work too.

An advocate for equal education for young women, he fought hard for Title IX of the Education Amendments of 1972, and you know what that is, equal opportunity for our children, for our girls in athletics.

And the list goes on and I will stop there with it, because it could go on and on. But I stand before you today, as a Senator who is carrying on the progressive work of Alan Cranston. His belief that women are equal has borne fruit.

If you look around today in the Senate, there are 13 women Senators from both parties. That's just in this building. Next door—and we have a couple here—there are 61 women in the House. We are doing better now, but as my friend Barbara Mikulski often says, it takes the "Sir Galahads," to get us there, and Alan was definitely a Sir Galahad.

I'm just going to tell you one quick personal story, and then I'll end. Alan decided to retire, I ran for the seat and won the seat, and about a year later, he made an appointment to come to see me. Now, I know this, the family must know this, but unlike the Whip's office, which someone else must have decorated, Alan's personal office here in the Hart building was not the most beautiful place, because this was not important to Alan. It was dark; it was dark leather and dark walls and the blinds were drawn, and that was it. Alan just saw it as a place to work—files all over the floor. So when I got into the office, I said: "Let's brighten it up. Let's bring California." And I ordered all of these green plants, and we opened up all the shades and we painted the walls peach and we got peach and green fabrics, and I mean, it was different. So I thought, you know, Alan was coming to see me about arms control, but I was excited that he was going to see what had happened to his office. And he came in and he sat down, and he sat there and his first thing is, "You've got to be more aggressive on arms control." Now that's the first time anyone ever told me to be more aggressive on anything. (Laughter.) But he started to lecture me and, you know, time went on, it was an hour, he still hadn't said a thing about the room. So, finally, I got up my courage, and I said, "So Alan, what do you think of the office?" And he looked around, and he looked around, and he said, "You moved my desk." (Laughter.) That was it.

Alan said about his role as Senator, and I quote him, when he retired: "It has been a privilege I have cherished and for which I can never adequately thank the people of California." Let me take this moment on behalf of the people of California to say to Alan Cranston thank you and your work lives on. (Applause.)

Judge JONATHAN STEINBERG. Thank you very much, Senator Boxer, and thank you for being with us so long. I couldn't help but note when you talked about women and forging the way for women, that the U.S. Army Strings that played at the beginning of our ceremony today was composed of four women from the U.S. Army. And no men.

I want also to acknowledge the presence here of Senator Daniel Akaka, of the Democratic Leader, Senator Tom Daschle, and of Senator Hollings of South Carolina. We appreciate their presence with us very much.

Known to all veterans' advocates as "Mr. Chairman", our next speaker was the counterpart in the House to Senator Cranston and Senator Simpson as the Chairman of the Committee on Veterans' Affairs in the other body, as it is affectionately called. He and Alan had to resolve many sticky and tricky issues over the 14 years that he led the House Committee, and they were always able to do so with congeniality and mutual respect.

He has been a great friend to me personally, as has been his Committee staff. I now introduce Former Representative Sonny Montgomery of Mississippi, "Mr. Chairman". (Applause.)

Representative G.V. (SONNY) MONTGOMERY. Thanks very much, Jon.

To the family of Senator Cranston, my colleagues on this panel, cabinet members, other distinguished guests, ladies and gentlemen.

I'd like to thank you, Judge Steinberg and others for letting me participate in the re-

marks of this Memorial Tribute to Senator Alan Cranston.

Alan and I became friends because he was Chairman of the Senate Veterans' Affairs Committee and I was Chairman of the House Veterans' Affairs Committee, and we both enjoyed working for veterans and their families. Alan was a veteran of World War II and had really a good feel for veterans issues.

You know, at first, I was a little uncomfortable working with the great Senator from California. I am kinda the hand-shaking, pat-on-the-back congressman whereas Alan was in great physical shape, and he would look down on me and say "I am sure we can work together" and we did.

He had a couple of veterans functions out in California and asked me to come out.

Going from one veterans meeting to another in different towns in California, we stopped at this restaurant, and he said they made the best vegetable soup in California. People recognized him when he walked in, but Alan wanted the soup and didn't work the crowd, so to speak.

I said to Steinberg, "explain to me", and he did, in California you had millions of people and you just don't work the crowds. (Laughter.) So, I found out about that.

Alan did many good things for veterans, and I will mention a few.

He was the architect of the Veterans Readjustment Counseling Act that Max Cleland mentioned. There are 206 centers to help Vietnam veterans to readjust and Alan did pass this legislation in 1979.

He had a strong interest in veterans health care and he passed legislation that gave thousands of veterans more access to health care. He pushed for more outpatient clinics, and more veterans use outpatient clinic facilities now and the VA, I'm happy to say, has been able to cut back on the number of hospital beds in our 172 hospitals, because of Alan Cranston and our outpatient clinics.

He was part of our team that established the U.S. Court of Appeals for Veterans Claims and worked very hard for the upgrade of the VA to a Cabinet department.

Some member of Congress, and what a mistake he made, introduced legislation to tax veterans disability compensation. Senator Cranston went berserk, he killed this tax legislation before it even saw the light of day, and he was right.

Alan was very helpful in establishing educational benefits for veterans who completed their military obligation, and, he saw to it that the educational benefits go to the actives as well as the National Guard and Reserve.

As big as California is and the many government programs that the state has, I believe he really enjoyed working for veterans and their families more than other issues in government.

He was a friend of the veteran and veterans organizations knew they could count on Alan, and he came through for them.

We all miss him and know even in Heaven Alan has an exercise program going. (Laughter and applause.)

Judge JONATHAN STEINBERG. Thank you very much, Mr. Chairman.

I want to note Senator Jeffords who has just joined us. We appreciate your being here.

Next, we will hear from a former colleague of Alan's who knew him long before he became a United States Senator or held any public office. He very graciously called last Thursday to offer to say a few words in tribute to Alan. I now introduce former Representative and Independent Presidential candidate, John B. Anderson of Illinois. (Applause.)

Representative JOHN B. ANDERSON. Thank you very much, Judge Steinberg, and my distinguished former colleagues in both the

House and the Senate, distinguished members of the cabinet, and Alan's family. I count it an honor indeed to be included in the group that is privileged this afternoon to say just a few words about the career of this very remarkable man. You have already heard a great deal about his commitment to the cause of civil rights, women's rights, conservation, the environment, veterans' affairs. I will not attempt to repeat the comments or the praise that could continue to be heaped upon him for the efforts that he exerted in all of those fields. But, as a member of the "other body" for 12 of the 24 years that Alan Cranston served in the Senate, I was well aware of the distinguished record that he had compiled in that body. And I would simply again state what has already been remarked that earlier than most he saw the folly of our entanglement in Southeast Asia, and I remember his very clear and clairvoyant voice calling for an end to the struggle there. He called for more than that, for an end to the arms race.

And it's really to that vision that he had in this particular realm of international affairs that I wanted to direct my very brief remarks this afternoon. Because, as a very young man he was gifted with a passion for achieving peace in our time that was shaped as someone said about a former President, I forget who it was, he had a vision that enabled him to peer around a corner of history, to see what lay beyond. In short, he was, indeed, a globalist long before globalization had become a term used in common parlance.

And it was just two years after the founding of the United World Federalists in Asheville, North Carolina, that young Alan Cranston at the age of 35 became the President of that organization and served until 1951. One of his mentors was the late, distinguished Grenville Clark, who, along with Lewis B. Sohn, wrote that very magisterial work on world peace through world law. And that indeed was the vision that Alan Cranston had. He had a vision of a democratic world federation that would emerge from what was then, when he was president of the United World Federalists, still a very nascent United Nations. He maintained that interest and served on the Board of Advisors of the World Federalists Association until his recent death.

Upon his retirement from the Senate in 1994, and this is the point, I think, that I wanted the opportunity to emphasize here this afternoon, he did not regard his career as ended. I read the account of the marvelous memorial service conducted in San Francisco just three weeks ago, in Grace Cathedral, where his son was quoted as saying that he had said that "when the end comes, I want to be able somehow to still struggle across the finish line with my head up." And he added to that that when the end came, he was still sprinting; he was not merely struggling, he was sprinting in pursuit of the goals that he sought. And he became a leading and a very strong voice in civil society in the area that, at the end of his life, I am convinced, lay closest to his heart. It was the interest in disarmament, an end to the threat of nuclear war and the achievement of world peace through world law. And he believed that that could be achieved only through the application and the use of the same federalist principles that had inspired the Framers of our Constitution to write a Constitution that would bring about peace and domestic tranquillity among the then 13 independent sovereignties who had found that under the Articles of Confederation their bonds of unity had become frayed. And it was Alan's belief, building on that historical fact, that only with a restructured and an empowered United Nations, one capable of

maintaining peace with justice, that we would recognize the goal that he sought, of world peace through world law.

It's been mentioned, I think, already, that he served as President of the Global Security Institute, a non-profit organization dedicated to disarmament and world peace. He saw security not simply as an issue confined within the narrow boundaries of nationalism but as an issue that required the forging of new bonds of global cooperation.

And one of the last and most vivid memories that I personally have of Alan Cranston was less than three years ago, when the Hague Appeal for Peace drew thousands of peace activists from around the world to the Hague, to celebrate, to commemorate the one-hundredth anniversary of the first Hague peace conference. Alan was there as one of the leading spokespersons from the United States. And again, one of the memorable experiences of that international meeting was to attend one of its sessions and to hear him describe how he was even then busy working on a book, a book on sovereignty, a book that would seek to explain that, in this new millennium, the old Westphalian theory of state sovereignty was simply not sufficient unto the needs of our present age, and we had to reconceptualize that term in a way that would allow the formation of democratic global institutions that would carry out the goals of disarmament and build a world in which peace could be achieved through reliance on the rule of law.

Those are the memories that I will certainly carry with me, as inspiration for the remainder of my life, and I thank you, Alan Cranston, for the things that you did, both in the Senate, and then in those very important years when you carried forth your ideas and lived for your ideals as a strong member of American civil society. (Applause.)

Judge JONATHAN STEINBERG. I think that gave us all an important glimpse of the formation of Alan Cranston's philosophy and thinking and I know that there are a number of people from those early days in the United World Federalists who are here today, including Neil Potter and Ted Waller, who worked with Alan so many years ago at the founding of that organization.

Our next speaker has served for 26 years in the House of Representatives. He worked very closely with Alan on many initiatives of significance to their California constituents and particularly to the children of their state and the children of the entire country. We are very grateful that he has taken time to be with us throughout this entire ceremony this afternoon.

Representative George Miller of California. (Applause.)

Representative GEORGE MILLER. Well thank you, and to all of you, to family and friends, and colleagues. I am very, very pleased to be able to participate in this memorial to an extraordinary life, to clearly one of the leading California statesmen of the 20th century.

My familiarity with Alan Cranston goes back long before my politics, when as a young boy, I sat in the living room of our home and listened to Alan Cranston and my father and many other California politicians plot campaigns and create and organize the California Democratic Council, which changed the politics of California, changed the Democratic Party in California, launched their careers, and later the careers of so many other progressive politicians in the State of California. It was a profound organization, in terms of its influence in California. In the post-war, in the conservative years, it was an organization, that led by Alan, would speak out on nuclear arms control, on civil rights, on the rights of labor—these issues that became the cornerstone for

so many of us who later sought to run for political life in the State of California.

I think it's rather fitting that we remember Alan at this time. Because we can remember when a conservative administration came to this town twenty years ago and sought to launch an attack on programs for the poor, on women and the ill, on foster care and adoption, on child health, on handicapped education, and so many other programs that were targeted for elimination. Alan and his colleagues not only led that fight, but participated in it, stood their ground, and fought against those efforts, and today, when we see a new administration arriving in town, we're no longer talking about the elimination of these programs, we're talking about making them work better. We recognize the beneficiaries of these programs, and the benefits to our society. We now see that, in fact, because of the fight that was made a long time ago, we now have a legacy of understanding the role and the importance that government plays in so many American's lives, and the necessity of it. We've heard it with respect to veterans, we've heard it with respect to the environment, to women, and to so many others in American society.

Many of us would think that if you look at the last quarter of the 20th century in American politics, you would think of extreme ideological behavior, you'd think of political chaos, and you would suggest that not a lot got done. But, as already had been mentioned here, if you look at the legacy and the workload and the work product of Alan Cranston, you would recognize that, in fact, it was a golden age of legislation for people like Alan Cranston. He was able to put his signature and his work into so many efforts that became the law of the land. I recall two of those, working with him as a colleague in the House. One was in the 70s; in the late 70s, after five years of working together, of holding hearings, site visits, talking with families and children, we put together legislation to deal with the problems of foster care, to children who were trapped in a system from which they could not escape, families who could not get their children back from that system, and the impact that it had on these children. That law was later signed by President Carter, and it was Alan's tenacity that allowed us to get it through.

The other one of course, that's been mentioned here, is the California Desert. Alan started pioneering that effort so many years ago, so many years before we actually considered it on the floor of the House or the Senate. Where he walked over those areas, he hiked over them, he spent time with the constituents who were interested in them, with the organizations that were trying to preserve them. Kim has spent much time in that area. And, after Alan left the Senate, I managed the bill on the floor of the House. The opponents were numerous; we used to have to have security and armed guards to go into the hearings on the California Desert Bill. They held the controversial ones in Beverly Hills, so that people would have trouble getting there, it was a grand ploy. And it worked. But, in any case, the opposition in the House was incredible. We spent many, many, many days debating this legislation, on again, off again, part of the day, into the night. They filed numerous amendments, all of which had unlimited debate time. They had a coterie of people who would speak on every amendment for the maximum time allowed, so that they could delay this bill and not see it enacted. I called Alan and I said, "Alan, we've got to accept some amendments to speed this along. The members of the House are starting to call me Moses, they've said they've been in the desert for so long on this legislation." I said,

"Some of these amendments, what can we accept to narrow this down", and he said, "None". And I said, "Alan, this is the House, it will never stop", and he said, "None". He said "We can't accept them". I talked to him about a couple of amendments to move the boundaries, he said, "No, I've been there; I've been there and if you go to the bottom of that canyon, you're going to find a little spring down there—most people don't know it exists. You can't put that outside the park, that's going to have to be in." Well, it's turned out he was right. Dianne managed the bill on the Senate floor, and Bill Clinton signed it into law, and now it's one of our leading attractions in the nation and certainly in the State of California. Those who opposed it are now seeking authorizations and appropriations for visitors centers and various support systems for the park. (Laughter.) The Chambers of Commerce now think that this is a cash register and they'd like to have it expanded, they'd like to have the boundaries expanded, they'd like to have the protections upgraded, so that more visitors would come and bless their economy. It was Alan Cranston's foresight that brought that about.

You know, the political mentor to so many of us, Phil Burton, used to say to us that when you came to the House or you came to the Senate, that it was a privilege and it was an honor, and you had to pay the rent, you had to pay the rent all the time to stay there. And I think that Alan fully understood that while this clearly was the world's most exclusive club, he still had to pay the rent, and he did over and over and over again, on behalf of so many Americans, on behalf of our environment, on behalf of world peace, on behalf of human rights. He paid the rent constantly to earn his right to stay here and to work and to work and to work on behalf of all of us. And I think we should thank him, for all of the fights that he made, and all of the ground that he stood, on behalf of America, and all of its people. Thank you very much, Alan. (Applause.)

Judge JONATHAN STEINBERG. Thank you, Representative Miller.

Next, we will hear from a Senator who served on two Committees with Alan—Banking and Foreign Relations—where they shared many common interests. Senator Kerry was a highly decorated veteran of Vietnam and a co-founder of the Vietnam Veterans of America, an organization which was to play an important role in the enactment of much legislation that he and Senator Cranston championed, particularly the Veterans' Judicial Review Act that created the Court on which I am honored to serve along with another former Member of Congress who is also with us today, Chief Judge Ken Kramer.

Senator Kerry succeeded to the Democratic leadership of the Banking Committee's Housing Subcommittee, which Senator Cranston had chaired from 1987 to 1993. Also, I know that Senator Kerry shares the passion that Senator Cranston lived and breathed for ending the threat of nuclear annihilation.

Senator John Kerry of Massachusetts. (Applause.)

Senator JOHN KERRY. Thank you, Jonathan. Kim, Colette, Evan, and R.E., it's a very special privilege to join with all of you today in remembering the remarkable life and achievements of our friend, Alan Cranston.

As we've heard today, and as we all know, Alan was a sprinter, a record-holding sprinter, who, in his sixties, was only two seconds slower than he was in his twenties when he set the records. And I think it's safe to say that those who knew him well would agree that he really sprinted through life; he

sprinted through the United States Senate, always with a yellow pad in his hand and a felt-tip pen, covered with ink, with more things on that pad to do in one day than most of us would venture to accomplish in a week or a month, and he got them done. And always with this incredible, mischievous twinkle in his eye. He had fun advocating and challenging the system.

One of the most enduring images of Alan would be at the Iowa caucuses in 1984 at the Holiday Inn in Keokuk, Iowa, where he was seen sprinting barefooted down 40-meter hallways, then he'd walk back, and he'd repeat the exercise for about 40 minutes. And I think that understanding that, we can understand why it was no coincidence that Alan's favorite hotel was the Chicago O'Hare Hilton, where they had 250-meter hallways. (Laughter.)

Three weeks ago in California, we had a tender goodbye to our friend, this sprinter, at a memorial service—calling to mind the many ways in which he enriched our lives and this country.

There in the Grace Cathedral, we heard Colette Cranston say that in death Alan Cranston "has become my Jimmy Cricket—that little voice in [her] conscience that says, 'Colette, think before you leap.'" It would not be an exaggeration to say that that warning was a characteristic of Alan—think before you leap, and, most of all, he wanted us to think, he wanted us to look, and, by God, he wanted us to leap. He implored us to put a public face on policy. He wanted us to think not in terms of statistics and numbers and programs, but in terms of people; and the people he spoke of most often, as all of my colleagues who served with him will remember, were senior citizens, children, those without decent housing, immigrants, those in need of a helping hand regardless of race or religion. He was a moral voice, a voice of conscience, someone who understood that even as he remained vigilant in defending the needs and wishes of his home state of California, he was also a global citizen and he knew and felt the responsibilities of this institution, towards the rest of the world.

Through four terms as a United States Senator, he also remained a man of enormous humility—on his answering machine he was simply "Alan"—as he was to so many who worked with him and knew him. And this personal sense of place and of restraint made it easy to underestimate the contributions that he made to the Senate, and to our country. Certainly he never paused long enough to personally remind us of the impact of his service, of the history that he was a part of and the lives that he touched.

I first met Alan in 1971 when I had returned from Vietnam and many of our veterans were part of an effort to end what we thought was a failed policy in that country. In Alan Cranston we found one of the few Senators willing not just to join in public opposition to the war in Vietnam, but to become a voice of healing for veterans of the war—a statesman whose leadership enabled others, over time, to separate their feelings about the war from their feelings for the veterans of the war. At a time when too many wanted literally to disown this country's own veterans, Alan Cranston offered them a warm embrace. He was eager to do something all too rare in Washington: To listen—and he listened to veterans who had much to say, much of it ignored for too long. He honored their pride and their pain with his sensitivity and his understanding.

That's when I first came to see the great energy and the commitment that he brought to issues affecting veterans, especially those of the Vietnam era. He was deeply involved on veterans' health care issues, among the

first to fight for the recognition of post-Vietnam stress syndrome, a leader in insisting, together with Sonny Montgomery, on the extension of coverage under the VA, under the GI Bill. And when the Agent Orange issue came to the fore, Alan insisted on getting answers from a government that was unresponsive. He made sure that veterans and their families got the care that they needed. Under his leadership, together with his partner in the House, they increased GI Bill benefits for Vietnam veterans—and I tell you that that was a time when veterans too often had to fight for what was their simple due, whether it was a memorial here in Washington, or simply to have the government recognize that it was a war, and not simply a conflict. Alan's leadership made all the difference. It's a sad truth in our history that a weary nation indeed seemed eager to turn its back on the entire war by also turning its back on so many veterans. It should forever be a source of pride to the Cranston family that Alan was chief among those who insisted that America honor that service and keep faith with sons who left pieces of themselves and years of their lives on the battlefield in Vietnam.

This was a man who fought with extraordinary passion for everything. And he fought at the most difficult of times. Not just for veterans, but as we've heard from others today, he fought against all that war represents—remembering that war, and the killing that follows it, is the ultimate failure of diplomacy.

Alan Cranston was above all else a man of peace. And he was a man of peace not as a matter of public policy, but as a matter of personal passion. Remember: This was a man who, in 1934, found himself in the same room as Adolf Hitler. Five years later, he wrote a critical English translation of Adolf Hitler's "Mein Kampf" in an effort to reveal the German leader's true plans. And he wore Hitler's ensuing lawsuit as a badge of honor, proud that he had stood up to try and warn the English-speaking world about the evils of Nazism.

Throughout the rest of his service he used public office to force Americans to listen to other prescient warnings—about nuclear war, about the arms race, about hopes for peace that he refused to give up even as others chose to beat the drums of war.

Senator Cranston came to his famous commitment, as we learned from the film, after meeting with Albert Einstein in 1946. And he left that meeting convinced that he had found his mission and he would indeed spend the balance of his life arguing that conviction before the world.

As a member of the Senate leadership and a senior voice on the Democratic side of the Foreign Relations Committee, he worked tirelessly to reduce the nuclear threat. Obviously, there were many of those efforts, but one of the most unpublicized was his effort through the 1970s and 80's, when he convened a unique group known as the "SALT Study Group". A senators-only gathering monthly in his office, off the record, face-to-face to define the confines of the debate. He knew the impact that quiet diplomacy could have on the issues, but on this issue above all that he cared about the most.

He loved the Peace Corps, and he fought for it. He fought to attach human rights conditions on aid to El Salvador. He was a leading national advocate for the mutual verifiable freeze. He was always an idealist whose increase in political power, gratefully, was always met by progress for the issues that he cared about so deeply. It was not just the work of a career, but the work of a lifetime—and after he left the Senate, we all know the remarkable commitment that he

continued with Mikhail Gorbachev and ultimately in his founding of the Global Security Institute.

He did that because he sensed that the end of the Cold War, with all of the opportunity that it afforded, which he understood, still left us a world that was more dangerous, and he was haunted by the threat of nuclear terrorism. We missed his voice in the debate on the test ban treaty, and we miss him even more today.

When he left the Senate, Alan reflected on his service and he said of his own legacy, simply: "Most of all, I have dedicated myself to the cause of peace."

That dedication was real, it was lasting, and the legacy of peace for a good and peaceful man who gave living embodiment to Culbertson's simple, stubborn faith that "God and the politicians willing, the United States can declare peace upon the world, and win it." That belief was Alan Cranston—and it's a belief still worth fighting for. (Applause.)

Judge JONATHAN STEINBERG. Our concluding speaker from this body is also one of its newest members. She traveled to California three weeks ago, as did Senator Kerry, as he told us, to attend the ceremony attended by over a thousand persons at the Grace Cathedral in San Francisco. For reasons that I know she will share with us, she will be—along with Max Cleland—a living legacy of Alan Cranston in the United States Senate.

Senator Maria Cantwell of Washington. (Applause.)

Senator MARIA CANTWELL. Thank you. To Kim and Colette and Evan and R.E., thank you for allowing me to share this occasion to remember Alan and to have been there a few weeks ago and to see so many of the friends and faces that Alan touched.

People today have talked about Alan's legislative career—the many pieces of legislation that will live with us for a long time. But I'd like to share with you today maybe a different Alan Cranston that I knew as I worked on his Presidential campaign in 1983 and 1984. Some people might think running for President is a glorious task, but it is a very difficult one that I think Alan knew would help aid the cause and message that he wanted to fight for. In fact, I'm not from Washington state originally; it was Alan Cranston that dropped me off there in 1983. In fact, the first time I ever visited, I was a part of his presidential campaign staff, in which he left me at SEA-TAC Airport in Seattle and went on about his business to campaign. But people who knew Alan knew that he jumped into that race to deliver a message for the right reason. I was fortunate enough to have read R.E.'s book about Alan, and knew all the things that Alan had fought through in his life, some of the things that have been mentioned today. About being sued by Adolf Hitler for translating in next to no time a version of "Mein Kampf". Being a pre-World War II journalist and being smart enough to understand what was going to be advocated and running back to the United States and having that published. And all of the other wonderful things that Alan did in helping women, and on the environment; one thing I haven't heard mentioned today is his work with Native Americans, which is something that I recognize.

But what was amazing about Alan from a personal perspective, and you definitely get to know someone from a personal perspective when you travel with him on a presidential campaign, is that Alan was very self-disciplined. John Kerry talked about his running, and that was something that was very important to Alan on a daily basis. And, yes, I can attest to the fact that he did sprint in the hotel corridors when you didn't schedule

time for him to run outside. But, when Alan, challenged with the fact that maybe some of the other hotel guests found it shocking to find somebody so tall and long running down the halls at 7:30 in the morning, the Senator replied, "well maybe I should start at 6:30 instead." (Laughter.)

But Alan never complained about that task. And for me, in Washington state, there were lots of World Federalists, a lot of people part of the nuclear freeze movement, a lot of people very appreciative of his efforts on the environment. But Alan was also a very self-deprecating person when it came to making a moment light. And I'll never forget the time in Vancouver, Washington, where hundreds of people had showed up at eight-thirty on a Sunday morning, I think it was the Fourth of July, to hear his message about the nuclear freeze. And when he mistakenly called the host of the event, whose name was "June", "Jane", and he heard a gasp from the audience, he quickly looked down at his program and saw that he had mistakenly called her the wrong name, and all of a sudden started pounding on his chest, saying, "Me Tarzan! You Jane!" (Laughter.) Which put everybody at ease, and Alan went on to give his very important remarks to a community that I don't think has seen since the likes of Alan Cranston.

And yet, when you run a Presidential campaign, you also are a spokesperson for your issues. But I never saw Alan take advantage of that situation, where he was trying to make more than the situation called for. In fact, he was very reserved in his comments. I remember being with him on August 31, in 1983, when the Korean Airline flight 007 was shot down. We happened to be in Anchorage, Alaska, at that time, and many of you probably know the various controversies that arose out of that; 269 people were killed. And I remember waking up that morning to a press event where probably 200 different people were there, including the national press, all wanting Alan to make a statement right away; because he was a Presidential candidate, because his remarks would be all over the news. And yet Alan had the self-discipline not just to say something immediately that morning, but to say, in a calming way, "let's find out the facts, first." And when I think about that as a human being, particularly in my new post and job, in which the world moves so fast and in which people go about promoting their idea and concepts, the very human side of Alan Cranston remains with me, and I hope it does with each of you.

I talked to him in October of this year, in which I was out campaigning in Bellingham, Washington, one of the last places I had to campaign with him, and I said to him, "Senator, you dropped me off here almost seventeen years ago, and you never picked me up." And Alan reminded me that it was time to work together. So I guess I say to Kim, and Colette, and R.E., and to those of you who are going to carry on the Cranston legacy, that he left in each one of us a piece of that flame that he carried for so long. You saw it on the film. It started when Albert Einstein said to him, "nuclear arms could wipe out a whole race of people." I think Alan started saying that from that moment on, and reminded people about it until his last days. And so I hope that each and every one of you, as I will, carries part of that torch and flame that Alan had of self-discipline, knowing that he was not the message, but the messenger, in helping this fight. Thank you. (Applause.)

Judge JONATHAN STEINBERG. And now we'll hear from Alan Cranston's son Kim, who I know is committed to seeing that Alan's lifelong commitment to securing world peace is carried on as his most important bequest to

his granddaughter Evan and all the children of our planet.

Kim. (Applause.)

KIM CRANSTON. Thank you, all. Those of you who were familiar with the legal pads that Alan carried around and the black pens will be happy to know that Evan is over here busy making a "to do" list. (Laughter.) I'm not sure what it all includes.

Jonathan, thank you very much for helping to organize this, and everybody else who was involved in this, the Senate sponsors, and each of the other speakers; I deeply appreciate your kind and touching words about Alan and his work here. It's good to see all of you, so many old friends. It's sad under the circumstances that we come together, but it's wonderful to see you all again. I know how much Alan cherished your friendship and collaboration over the years.

I was really truly blessed, I feel, to have, through the genetic lottery, ended up as Alan's son, and had the opportunity to get to know him as my father, as my dearest and oldest friend, and as a wonderful collaborator, mentor, teacher, and leader. And I know his loss as a leader is a loss we all share.

I've been reflecting over the last month on many of the things that I've learned from Alan and our work together, living with him, and a few things stand out that I wanted to share today. One thing that stood out for me was the remarkable style of leadership he had. Inside the program is the poem that he carried, the Lao-Tzu quote, for most of his life, that really informed the style of leadership that he practiced. It concludes with:

But of a good leader,  
When his work is done,  
His aim fulfilled,  
They will all say,  
"We did this ourselves."

And so today, we're here, recognizing what we accomplished together with Alan. And so it's an opportunity not only to mourn his loss, but to celebrate what we accomplished together, and I think, beyond that, to recommit, and commit to the ongoing causes that we engaged in with him.

Another lesson that has stood out in the last month for me was something that I really remember when I first began hearing it from him. I was told the central purpose of life was to make the world a better place, or, as one of Alan's heroes, Martin Luther King, Jr., once said, "life's most persistent and urgent question is 'what are you doing to serve others?'" And it was certainly in that spirit that Alan conducted his life and committed most of his public life.

And, finally, one other thing that stands out very strongly for me, both in terms of the work that he did here in Washington, and to the work that he continued to do after he left Washington, was his recognition of the extraordinary moment in history in which we all live. In that regard, I just note that a friend commented after Alan had left the Senate, that they had seen him, and they said, "Kim, you know, he doesn't seem to be slowing down, he seems to be speeding up." And I think that was true, because he said to me that he'd felt since he left the Senate that he could really focus in on the things that he was most concerned about, to devote 100% of his energy to those causes that were of greatest concern to him. And I think the cornerstone of that was an understanding that we have entered a new age during our lifetime, when we're facing global challenges that can be addressed only at the global level, and that we need to come up with effective new approaches for dealing with those challenges.

After he left the Senate, the cause did continue, most recently in the form of the Global Security Institute, which is continuing,

and it has a great board, and a wonderful director, Jonathan Granoff, our CEO, who is here today. And I would really urge those of you who are here today who shared in those causes with Alan to look forward to opportunities to collaborate with us, because the work goes on, and Alan was just the messenger.

In closing, I'd just like to say something I know Alan closed most of his speeches with, which was, "I thank you for all you are doing, and urge you onward." Thank you. (Applause.)

Judge JONATHAN STEINBERG. Thank you, Kim. I know your father would be proud of your personal actions to pick up the torch and deeply moved by your words.

I want to close with some expressions of thanks to many people. Again, I want to note how grateful all of us are to the sponsoring Senators and to all who spoke so eloquently and movingly about the man who will live forever in my heart as "Alan," as the most important influence on the lives of so many of us in this room today.

The presence here throughout this entire ceremony of three Cabinet officials in this new Administration should remind us all of Alan's abiding belief that it was possible to form an alliance with every Senator on one issue or another, and of his commitment to do just that. Common ground and common sense was much more important to him than party affiliation or political philosophy. We thank the three Secretaries who joined us today and helped remind us of how important those sentiments are for the welfare of our country.

There are an enormous number of people who volunteered their time and did just incredible work to make this tribute as successful and meaningful as we hope that it has been. If I leave anyone out, I apologize—as I do, and as I did before, if I left out any former officeholder, who I should have recognized earlier. So, I offer special thanks, on behalf of the family and myself, alphabetically, to Zack Allen, Bill Brew, Fran Butler, Monique Ceruti, Kelly Cordes, Chad Griffin, Bill Johnstone, Susanne Martinez, Katie O'Neill, Dan Perry, Valerie Rheinsteinst, Alexandra Sardegna, Ed Scott, Martha Stanley, Loraine Tong, Joel Wood, and one most special person, Elinor Tucker, without whose highly efficient logistical support we would never have made it to this point. I thank Senator Rockefeller for allowing her to put in so much time and effort and to do so in such an effective way. Finally, an even more personal thanks to my wife, Shellie, for helping to keep me on an relatively even keel over the past month as this event was pulled together.

And, finally, thanks to all of you who joined us in tribute today to Senator Alan McGregor Cranston, a great American who lived his life by the philosophy of a Chinese poet Lao-Tzu, whose words on leadership, printed in today's program, Alan carried with him every day.

That concludes this Tribute. Please remember to sign the guest book, and thanks again for coming. And we'll go out to the theme song from Alan's Presidential campaign, "Chariots of Fire". (Applause.)

ADDITIONAL STATEMENTS

CONGRATULATING WE THE PEOPLE PARTICIPANTS FROM WYOMING

• Mr. ENZI. Mr. President, on April 21-23, 2001 more than 1,200 students from across the United States met in Wash-

ington, D.C. to compete in the national finals of the "We the People", The Citizen and the Constitution program. I am proud to report that the class from Cheyenne Central High School from Cheyenne represented the State of Wyoming in this national event. The fine students in this class include: Joe Bergene; Skye Bougsty-Marshall; Cory Bulkley; Michelle Cassidy; Ryan Day; Sara De Groot; Chris Heald; Nat Linter; Steve Lucero; Geoff Luke; Caroline Morris; Ben Silver; and Annaliese Wiederspahn. I would also like to recognize their teacher, Don Morris, who deserves much of the credit for the class' success.

These young scholars worked diligently to reach the national finals and through their experience gained a deep knowledge and understanding of the fundamental principles of our constitutional democracy.

I am pleased to have had the opportunity to support the "We the People" program through my work on the Health, Education, Labor, and Pensions Committee and the reauthorization of the Elementary and Secondary Education Act. I am particularly proud to note that the Better Education for Students and Teachers Act will allow schools, which choose to do so, to use federal funds to incorporate the We the People program into their study of civics and American government.

I once again want to congratulate Don Morris and these students from Cheyenne Central High School.●

TRIBUTE TO STEPHEN J. RAPP

• Mr. HARKIN. Mr. President, I'd like to take a few minutes to honor Stephen J. Rapp, United States Attorney for the Northern District of Iowa.

Steve Rapp has been a trailblazer in my home state of Iowa since he began his career in public service in his early twenties. Back in 1972, he won a seat in our House of Representatives, and at the tender age of twenty-five, he came within a hair's breadth of winning the Third District Congressional seat. He did eventually join us on Capitol Hill a few years later when he served as Staff Director and Counsel of the U.S. Senate Judiciary Subcommittee on Juvenile Delinquency.

After his stint in Washington, Steve returned to Iowa and served another four years in our House of Representatives where he distinguished himself as a leader on anti-crime legislation. Steve was instrumental in passing our state's rape shield law and our strong anti-drunk driving regulation. And he wrote the law that forbids release pending appeal of criminals who are guilty of forcible felonies.

In 1993, Steve was appointed as a United States Attorney for the Northern District of Iowa, and under his stewardship, the Northern District became a national torchbearer in criminal prosecutions. Steve filed America's first prosecution under Title II of the Brady Law. He also filed the nation's

first prosecution under the federal "Three Strikes" law, and the first prosecution under the Lautenberg amendment that prohibited convicted domestic violence offenders from owning a gun.

But Steve wasn't content merely to do a stellar job on the day to day duties of United States Attorney. He became a member of the Attorney Generals Advisory Committee, serving on the working Group on Interior Enforcement Immigration Law and on Subcommittees handling violence against women, organized crime, victim crime, juvenile justice and Native American issues. In addition, he served as chair of the Midwest High Intensity Drug Trafficking Area and has held forums across Northern Iowa to educate citizens and help reduce methamphetamine use.

When I think of all the work Steve Rapp has done for our state and our country, I'm reminded of the words of President John F. Kennedy who once noted, "Law is the strongest link between man and freedom." Steve Rapp has worked tirelessly to keep the people of Northern Iowa and America free, free from crime and violence, and free to raise their families and live their lives in safe, secure communities.

Steve has been honored by groups ranging from the Afro-American Community Broadcasting to the NAACP to the Black Hawk County Legal Secretaries Association. And it is my pleasure to add myself to that list and offer my deepest gratitude for his long and distinguished record of service.●

RECOGNITION OF THE 125TH BIRTHDAY OF ST. MARY PARISH OF NEW BALTIMORE, MICHIGAN

• Mr. LEVIN. Mr. President, I ask that the Senate join me today in congratulating the St. Mary Parish of New Baltimore, MI on their upcoming one hundred and twenty-fifth anniversary. Since 1876, the St. Mary's has been serving the spiritual needs of it's congregation as well as the community at large.

The history of St. Mary Parish is too long and rich for me to recount here in full, but it is important to point out that New Baltimore has been home to a Catholic community since 1805, when "horseback priests" from Canada and Detroit would come to minister in private homes. It was in 1876, as America was celebrating its centennial, that Father Aloysius Lambert was appointed the first resident pastor and the St. Mary Parish was born. Father Lambert worked to establish a church and chapel, a grade school and a rectory. Other important events in the history of the Parish include the mortgage being paid off and burned in 1938, the addition of a war memorial shrine in 1949, and the completion of a new gymnasium in 1951. This gymnasium would serve as a temporary church when the 83 year old building burned to the ground in 1958. In 1963, the cornerstone was laid in

what was now to be known as St. Mary Queen of Creation.

The 1960's also saw the creation of a new mission for St. Mary Parish. A chapter of St. Vincent de Paul was opened to serve the needs of the poor in New Baltimore and seventh-grader Mary Jane Plague began a music ministry. This legacy of community stewardship grew with the addition of Sister Loretta Demick to the St. Mary Parish in 1974. Sister Demick began what was known as Sister Loretta's Closet, which helped feed the poor, elderly and infirmed of the Parish. Also in 1974, the former convent was turned into a home for women who are developmentally disabled. People with special needs are still being served in this building, and it is known as the Horizons Residential Centers. In the last decade, the St. Mary Parish has expanded outreach programs to help the homeless and those with HIV/AIDS.

Over the years, St. Mary Parish has grown from a few families to thousands of parishioners and along the way has dedicated itself to bettering the lives of everyone in its community. The community of New Baltimore and all of Macomb County have benefitted from many good deeds and continuing works of generosity that the St. Mary Parish has undertaken. I trust that my Senate colleagues will join me in wishing St. Mary Parish a happy one hundred and twenty-fifth anniversary, and hoping that the next century and a quarter are as fruitful as the last.●

#### RECOGNIZING THE STUDENTS FROM CENTURY SENIOR HIGH SCHOOL

● Mr. DORGAN. Mr. President, today I had the privilege to meet with twelve accomplished students from Century Senior High School in Bismarck, ND, who are in town to compete in the national finals of the "We the People. . ." competition. This competition focuses on the Constitution and the Bill of Rights, and these students have worked hard to reach the national finals.

These students are Adrienne Buckman, Nicole Elkin, Jessica Fritz, Nathan Grenz, Gwen Hobert, Chris Holzer, Reed Hushka, Whitney KreingKrairt, Rudie Martinson, Paul Nehring, Grant Neuharth, and Russel Pearson. They are ably led by their teacher, Jeff Aas, who also deserves credit for the success of the class.

I am proud of this class and their dedication to this project. The Constitution is not just a historical document; it is the basis for our entire system of government. The brilliance of the Constitution lies in its flexibility which has allowed it to stand the test of time. The Bill of Rights is a fundamental part of our national culture and has been the basis of freedom principles that have been adopted in other countries around the world.

The knowledge that these students have gained by studying the Constitu-

tion will serve them well for years to come. Congratulations to these outstanding students from my home State.●

#### TRIBUTE TO DENNIS H. BLOME

● Mr. HARKIN. Mr. President, I would like to take a few moments today to honor Dennis H. Blome for his outstanding work as United States Marshal for the Northern District of Iowa.

Before he even set foot in the U.S. Marshal's office, Dennis Blome had already distinguished himself with over two decades of dedicated law enforcement service. During these years, he took on just about every position in the field of law enforcement, and he performed them all with diligence, passion and honor.

Dennis started out as a Deputy in the Linn County Sheriff's Office in 1971. He then took on the positions of Jail Officer, dispatcher and patrolman before becoming First Deputy for Sheriff Walter H. Grant. And he later served as Jail Administrator, Sergeant, Lieutenant and head of Detectives for the Sheriff's Office.

In 1984, Dennis was elected as Sheriff, and he took the lead in helping build a new jail and provide critically needed training for jail personnel throughout Iowa. He was also an enthusiastic member of the legislative Committee of the Iowa State Sheriffs' and Deputies' Association and of the National Sheriffs' Association.

Dennis' passion for learning and taking on new challenges led him to continue his education at the FBI National Academy, the National Institute of Corrections and Mount Mercy College where he got his BA degree in Criminal Justice and Psychology. He also took advantage of special training seminars through the National Sheriffs' Conference and the International Chiefs of Police.

Dennis' extensive job experience and solid education served him well when he was appointed as United States Marshal for the Northern District of Iowa back in 1994. He focused his boundless energy on a number of projects, most notably, that of strengthening security in our courthouses. Today, thanks to Dennis, our courthouses in Cedar Rapids and Sioux City have interior and exterior camera systems as well as recording systems and multiple monitoring systems.

But even more important than what Dennis accomplished is how he accomplished it. Dennis never considered any job to be "beneath" him. He was always willing to pitch in whether it meant being present in court, transporting prisoners or doing anything else necessary to keep the agency in good running order. His humility and commitment to his work made him a popular leader.

Dennis Blome embodies all of the highest ideals of public service. He's served our state with honor and loyalty for thirty years, and it is my pleasure

to offer my deepest gratitude for his considerable contributions.●

#### HONORING BILL BRADLEY

● Mr. KERRY. Mr. President, today we celebrate the long career of dedicated public service rendered by Mr. Bill Bradley of Ware, MA. His deep love of policy and politics has inspired me and many others, and I am fortunate to have Bill's friendship and counsel in my life.

This weekend, Bill's friends and colleagues will gather to look back on 25 years of service to two United States Senators, a Congressman, the US Department of Agriculture and the people of Massachusetts. Bill retires from a distinguished career of government service, most recently having held the post of Regional Director for the Department of Agriculture's Rural Development Program and today I join his extended political family in this celebration.

The same interest and passion that Bill brought to his USDA service can be found in earlier chapters of his life. As a freshman in high school, he pursued an early interest in politics by working as a congressional page in Washington D.C. in 1962, and his sponsor was a son of Dorchester who went on to become the great Speaker of the U.S. House of Representatives, John W. McCormack. Bill was a page through the next two years, and capped his early Washington experience by witnessing Lyndon Johnson's inauguration in 1965. After graduating from the University of California and serving a brief stint with the U.S. Forest Service in Alaska, Bill got his first job on Capitol Hill as a Legislative Aide for Congressman Dale Milford of Texas during the Carter Administration. Soon he moved closer to his Massachusetts up north to run a mobile office for my predecessor in this chamber, the late Paul Tsongas. From 1979 to 1983, Bill traveled in this capacity through the same towns he would later serve through the USDA. Once established in Western Massachusetts with Senator Tsongas, Bill dug deeper into the issues closest to the heart of those communities, and soon his knowledge and understanding of the region and its needs was exemplary. Even greater was his passion to serve them.

Bill coordinated these cities and towns in my first Senate campaign in 1984 and later became the Director of Constituent Services for my whole state-wide operation. Throughout the nine years he spent on my staff, he held positions that ranged from Director of Western Massachusetts to Director of Local Relations. In each position, Bill demonstrated the same tenacity and dedication to improving people's lives he carries to this day.

It came as no surprise to those who worked with and knew Bill that President Clinton would recognize and embrace these same qualities as he assumed office in 1993. The President appointed Bill to the position of Regional

Director for the Department of Agriculture's Rural Development Program, and the success of his tenure is well known to everyone in the three-state region he served. He oversaw more than 65 employees in six offices throughout three states. The program's successes throughout this time are numerous; he worked with other agencies and officials to obtain new fire trucks for the Palmer Fire Department, and worked with Congressman NEAL and the Ware Selectmen to help move the police station to its current location. During his eight years of directing this agency, Bill coordinated the distribution of over \$870 million dollars in rural housing programs that helped rural towns foster and maintain economic development. Concurrent with this service, Bill was a Member of the Electoral College for the Commonwealth of Massachusetts, and I congratulated him along with his friends and colleagues as he cast his vote for the re-election of Bill Clinton and Al Gore.

Throughout all of these national and State-wide efforts, Bill Bradley has maintained an iron-clad commitment to community and his neighbors. He has served as Director of the Ware Co-operative Bank, and mobilized State and Federal money through the Ware Community Development Authority. His love of politics is surpassed only by music and his devotion to his wife, Linda, and I congratulate both of them as they begin this new chapter in their lives. I have been very fortunate to have some of the best people I have ever known be involved in my campaigns and on my staff. Bill Bradley is a credit to his community and the State of Massachusetts. He has performed 25 years of public service with a professionalism and dedication that is increasingly rare, and it is with great pride, respect and affection that I celebrate his contributions to the lives of people throughout Massachusetts and the United States of America.●

RECOGNITION OF THE LIGHTHOUSE OF OAKLAND COUNTY, INC. AND THE DEDICATION OF THE ROBERT H. & MARY G. FLINT CAMPUS OF CARING

● Mr. LEVIN. Mr. President, today I want to congratulate and honor the Lighthouse of Oakland County, Inc., an independent agency, that has served as a beacon of hope and opportunity for countless individuals. Residents in my home state of Michigan will be gathering this Thursday April 26, 2001 to celebrate the grand opening of the Robert H. & Mary G. Flint Campus of Caring.

The Lighthouse is a remarkable institution that began as an ecumenical ministry to assist seniors and low-income families, but has grown to become a dynamic independent agency dedicated to providing vital services that enable people to make the transition from joblessness and despair to independence and empowerment.

The mission of the Lighthouse is administered by three subsidiaries: Lighthouse Emergency Services, Lighthouse PATH and Lighthouse Community Development. Independent of one another, these subsidiaries would be an important agent for social welfare and justice. Together, these three branches are a comprehensive service provider that is able to assist individuals and communities as they strive for betterment.

Lighthouse Emergency Services provides a full range of services including food, housing, medical treatment and clothing assistance to those who require immediate assistance. The PATH program combines a full-time residency program with intensive case management that provides residents with the assistance needed to form clear and concrete goals for self-improvement. As residents complete their education or enter job training programs, the Lighthouse PATH provides an array of services such as child care, legal assistance and domestic abuse counseling. The Lighthouse Community Development program has worked, primarily in Pontiac's Unity Park neighborhood, to ensure that safe and affordable housing is available for low and moderate income families. Home ownership can ensure the economic well-being and stability of families and neighborhoods, and this program makes home ownership a reality by providing home ownership classes, rehabilitating abandoned houses and building new homes.

The Lighthouse's success at administering these myriad programs has not gone unnoticed. In 1990, the volunteers of the Lighthouse were recognized by then President Bush as the 376th Point of Light for their dedication and service to their community. Lighthouse PATH was a recipient of the Richard F. Huegli Award for Program Excellence. In addition, Crain's Business Detroit made the Lighthouse first Runner-up for best managed non-profit of 1994. In 1997, the Lighthouse deservedly won this award.

None of the Lighthouse's many awards or important programs would be possible without the dedication and sacrifice of the many staff and volunteers who have freely given of their time, talents and resources to make this program the vital community asset it is today. I have mentioned only a small portion of the dynamic history of the Lighthouse of Oakland County, Inc. and the many ways in which this organization has assisted its community. I know my colleagues will join me in honoring the Lighthouse of Oakland County, Inc. for its service to the people of Oakland County and the State of Michigan.●

TRIBUTE TO PHYLLISS HENRY

● Mr. HARKIN. Mr. President, Phylliss Henry has been a pioneer in my home State of Iowa, shattering glass ceilings, blazing a bold new trail for women in

law enforcement, and reaching out to help others follow after her. Her tireless work to stamp out crime and to bring women to the table in law enforcement have made a lasting impact on our state.

Back in 1972, Phylliss became the first woman ever to receive a law enforcement degree from Des Moines Area Community College. She was then hired as the first female patrol officer in the Des Moines Department, and she remained the only female patrol officer until 1977. She later became a Sergeant with the Special Crime Unit and with the Communication Section where she helped with minority recruitment and acted as a role model for other women in law enforcement.

Phylliss then made the courageous decision to continue and expand her education, and she focused her energy on obtaining a Bachelor of General Studies degree in 1984, an MA in Communications Studies in 1986, and a PhD in Communication Research in 1988, all from the University of Iowa.

In December of 1990, she became the Support Services Manager of the Iowa State University Department of Public Safety. As in all her previous positions, she took the job to a new level, creating new crime prevention, security and assault awareness programs.

In 1994, Phylliss' outstanding record led to her appointment as a United States Marshal, the first woman ever to hold this position in the state of Iowa, and for seven years, she served with distinction. She was instrumental in leading building renovations projects in Des Moines and Davenport and in helping to finish up the Court Annex Building. She also led the initiatives to bring Iowa Communication Network access to the district.

And she was a one-woman army when it came to getting funding for critical projects in the district and to stretching every dollar to its limits. In a few years, she was able to automate the entire district with limited funding. And during a time when the district was being hit hard by increases in prisoner populations and decreases in bed space, she obtained a State of Iowa contract and greatly reduced the crisis need for federal prison beds.

In addition, throughout her career, Phylliss has never been content to use her energy only in the workplace. She has contributed to organizations ranging from the Young Women's Resource Center, the International and Iowa Associations of Women Police, Children and Families of Iowa and many more. She even managed to find the time to co-found the Iowa Association of Women Police.

She has been honored by groups ranging from the Greater Des Moines YWCA to the Des Moines Metro Women's Network to the International Association of Women police and more. And it is my pleasure to add myself to that list and offer my deepest gratitude for her long and distinguished record of service to our State.●

EXECUTIVE AND OTHER  
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1417. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on rescissions and deferrals dated April 19, 2000; transmitted jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; to the Committees on Appropriations; the Budget; and Foreign Relations.

EC-1418. A communication from the Deputy Assistant Secretary of the Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "25 CFR 183, Use and Distribution of the San Carlos Apache Tribe Development Trust Fund and San Carlos Apache Tribe Lease Fund" (RIN 1076-AE10) received on April 23, 2001; to the Committee on Indian Affairs.

EC-1419. A communication from the Chairman and Chief Executive Officer of the Farm Credit Administration, transmitting, pursuant to law, a report relative to the proposed fiscal year 2002 budget; to the Committee on Governmental Affairs.

EC-1420. A communication from the President and Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC-1421. A communication from the President of the United States, transmitting, pursuant to law, a report on the national emergency with respect to Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC-1422. A communication from the Chief of the Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Amendment to Wool Duty Refund Program" (RIN 1515-AC85) received on April 19, 2001; to the Committee on Finance.

EC-1423. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—May 2001" (Rev. Rul. 2001-22) received on April 19, 2001; to the Committee on Finance.

EC-1424. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 29(c)(1)(C) Solid Fuel Produced From Coal" (Rev. Pro. 2001-30) received on April 23, 2001; to the Committee on Finance.

EC-1425. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Appeals Settlement Guidelines: Excise Tax on Virtual Private Networks" (UIL: 4251.03-01) received on April 23, 2001; to the Committee on Finance.

EC-1426. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rev. Proc. 2001-17" received on April 23, 2001; to the Committee on Finance.

EC-1427. A communication from the Deputy Under Secretary of Defense, Technology Security Policy, transmitting, pursuant to law, the delay of a report concerning na-

tional security; to the Committee on Armed Services.

EC-1428. A communication from the Deputy Under Secretary of Defense, transmitting, pursuant to law, a report relating to the notification of total obligations exceeding \$5.0 million in fiscal year 2001; to the Committee on Armed Services.

EC-1429. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to overseas surplus property; to the Committee on Foreign Relations.

EC-1430. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "VISAS: Documentation of Immigrants and Non-immigrants—Visa Classification Symbols" (22 CFR Parts 41 and 42) received on April 19, 2001; to the Committee on Foreign Relations.

EC-1431. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, a report relative to the progress made in an investigation in Kenya; to the Committee on Foreign Relations.

EC-1432. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, the annual SEED report for Fiscal Year 2000; to the Committee on Foreign Relations.

EC-1433. A communication from the Secretary of Energy, transmitting, pursuant to law, the Annual Report concerning the Strategic Petroleum Reserve; to the Committee on Energy and Natural Resources.

EC-1434. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Guide of Good Practices for Occupational Radiological Protection in Uranium Facilities" (STD-1136-2000) received on April 18, 2001; to the Committee on Energy and Natural Resources.

EC-1435. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Software Quality Assurance" (N 203.1) received on April 18, 2001; to the Committee on Energy and Natural Resources.

EC-1436. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Department of Energy Facilities Technology Partnering Programs" (O 482.1) received on April 18, 2001; to the Committee on Energy and Natural Resources.

EC-1437. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Reporting Unofficial Travel" (N 470.2) received on April 18, 2001; to the Committee on Energy and Natural Resources.

EC-1438. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Security Conditions" (N 473.6) received on April 18, 2001; to the Committee on Energy and Natural Resources.

EC-1439. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Extension of DOE O 311.1A, Equal Employment Op-

portunity and Diversity Program" (N 311.1) received on April 18, 2001; to the Committee on Energy and Natural Resources.

EC-1440. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Explosive Detection Program" (N 473.7) received on April 18, 2001; to the Committee on Energy and Natural Resources.

EC-1441. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Non-discrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance" (RIN 1901-AA87) received on April 18, 2001; to the Committee on Energy and Natural Resources.

EC-1442. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Stabilization, Packing, and Storage of Plutonium-Bearing Materials" (STD-3013-2000) received on April 18, 2001; to the Committee on Energy and Natural Resources.

EC-1443. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Utah Regulatory Program" (UT-038-FOR) received on April 19, 2001; to the Committee on Energy and Natural Resources.

EC-1444. A communication from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of an interim rule to change the NASA Federal Acquisition Regulation Supplement (48 CFR Parts 1812, 1823, 1852) received on April 6, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1445. A communication from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule "Emergency Medical Services and Evacuations" (48 CFR Parts 1842 and 1852) received on April 6, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1446. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Deputy Secretary, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1447. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position of Administrator, Maritime Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1448. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Administrator, Maritime Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1449. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the designation of acting officer as Administrator of the Research and Special Programs Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1450. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a discontinuation of service in acting

role as Administrator of the Research and Special Programs Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1451. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position as Administrator of the Research and Special Programs Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1452. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the discontinuation of service in acting role as Administrator of the Federal Railroad Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1453. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the designation of acting officer as Administrator of the Federal Railroad Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1454. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position as Administrator of the Federal Railroad Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1455. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position of Administrator of the National Highway Traffic Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1456. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the return of a nomination for Administrator of the National Highway Traffic Safety Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1457. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the designation of acting officer for the position of Associate Deputy Secretary, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1458. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position of Associate Deputy Secretary, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1459. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the discontinuation of service in acting role as Assistant Secretary for Aviation and International Affairs, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1460. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for Transportation Policy, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1461. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for Governmental Affairs, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1462. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the return of a nomination for Assistant Secretary for Aviation and International Affairs, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1463. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the return of a nomination for Deputy Administrator of the Federal Aviation Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1464. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for Aviation and International Affairs, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1465. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the discontinuation of service in acting role as Deputy Administrator of the Federal Aviation Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1466. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a designation of acting officer as Deputy Administrator of the Federal Aviation Administration, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1467. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position of Secretary of the Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1468. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer in the position as Chief Financial Officer of the National Aeronautic Space Administration; to the Committee on Commerce, Science, and Transportation.

EC-1469. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position of Deputy Secretary of the Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1470. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the confirmation of the nomination for Secretary of the Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1471. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Secretary of the Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1472. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a discontinuation of service in acting role for Secretary of the Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1473. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of the designation of acting officer for the position of Secretary, Department of

Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1474. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Governmental Affairs, Department of Transportation; to the Committee on Commerce, Science, and Transportation.

EC-1475. A communication from the General Counsel for the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a designation of Acting Officer for the position of Administrator, United States Fire Administration, Federal Emergency Management Agency; to the Committee on Commerce, Science, and Transportation.

EC-1476. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Waynesboro, VA" ((RIN2120-AA66)(2001-0065)) received on April 5, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1477. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Pollock Closure in the West Yakutat District, Gulf of Alaska" received on April 6, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1478. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast and Western Pacific States; West Coast Salmon Fisheries; Inseason Adjustments from Cape Falcon to Humbug Mountain, OR" received on April 6, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1479. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Zone Off Alaska—Closure of B Season Pollock Within the Shelikof Strait Conservation Area, Gulf of Alaska" received on April 18, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1480. A communication from the Attorney of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Light Truck Average Fuel Economy Standards, Model Year 2003" (RIN2127-AI35) received on April 5, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1481. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Assistance to Firefighters Grant Program" (RIN3067-AD12) received on April 6, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1482. A communication from the Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of the Capital Investment Plan for Fiscal Years 2002 through 2006; to the Committee on Commerce, Science, and Transportation.

EC-1483. A communication from the Chief of the Enforcement Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Industry Guidance on the Commission's Case

Law Interpreting 18 U.S.C. Section 1464 and Enforcement Policies Regarding Broadcast Indecency" (FCC 01-90) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1484. A communication from the Chief of the General and International Law Division, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Audit Appeals; Policy and Procedure" (RIN2133-AB42) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1485. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Fore River Bridge Repairs—Weymouth, Massachusetts" ((RIN2115-AA97)(2001-0007)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1486. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Mission Bay, San Diego, CA" ((RIN2115-AA97)(2001-0006)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1487. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regatta Regulations; Approaches to Annapolis Harbor, Spa Creek, and Severn River, Annapolis, Maryland" ((RIN2115-AE46)(2001-0006)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1488. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regatta Regulations; Western Branch, Elizabeth River, Portsmouth Va" ((RIN2115-AE46)(2001-0005)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1489. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Crescent Beach Bridge (SR 206), Crescent Beach, FL" ((RIN2115-AE47)(2001-0027)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1490. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Hackensack River, NJ" ((RIN2115-AE47)(2001-0026)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1491. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Shaw Cove, CT" ((RIN2115-AE47)(2001-0025)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1492. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Gulf of

Alaska, Southeast of Narrow Cape, Kodiak Island, AK" ((RIN2115-AA97)(2001-0009)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1493. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Fireworks Display, East River, New York, NY" ((RIN2115-AA97)(2001-0008)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1494. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Phillipsburg, KS" ((RIN2120-AA66)(2001-0071)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1495. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Omaha, NE; Correction" ((RIN2120-AA66)(2001-0069)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1496. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class D Airspace; Fort Worth Carswell AFB, TX" ((RIN2120-AA66)(2001-0070)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1497. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Valdosta Moody AFB, GA" ((RIN2120-AA66)(2001-0068)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1498. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Rome, NY" ((RIN2120-AA66)(2001-0067)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1499. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A 300 B4-601, -603, -620, -605R, -622R, and -605R Airplanes" ((RIN2120-AA64)(2001-0178)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1500. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A330-301, -321, -322, -341, and -342 Series Airplanes" ((RIN2120-AA64)(2001-0177)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1501. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: SOCATA Groupe AEROSPATIALE Model TBM 700 Airplanes" ((RIN2120-AA64)(2001-0167)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1502. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: The New Piper Aircraft, Inc. Models PA 31, -300, -325, -350, -31P, -31T, -31T1, -31T2, -31T3, and -31P-350 Airplanes" ((RIN2120-AA64)(2001-0170)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1503. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: GE Company CF6 80A3 Series Turbofan Engines" ((RIN2120-AA64)(2001-0169)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1504. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Cessna Aircraft Company Model 172RG Airplanes" ((RIN2120-AA64)(2001-0168)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1505. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Cessna Aircraft Company Models 172R and 172S Airplanes" ((RIN2120-AA64)(2001-0172)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1506. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Empresa Brasileira de Aeronautica, SA, Model EMB-120 Series Airplanes" ((RIN2120-AA64)(2001-0171)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1507. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Dowty Aerospace Propellers Model R381/6-123-F/5 Propellers, Correction" ((RIN2120-AA64)(2001-0174)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1508. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: SAAB Model SF340A and 340B Series Airplanes" ((RIN2120-AA64)(2001-0173)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1509. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-600, -700, -700C, and -800 Series Airplanes" ((RIN2120-AA64)(2001-0176)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1510. A communication from the Program Analyst for the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 767 Series Airplanes Powered by GE Engines" ((RIN2120-AA64)(2001-0175)) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1511. A communication from the Deputy Chief of the Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In

the Matter of Federal-State Joint Board on Universal Services; Children's Internet Protection Act" (FCC 01-120) received on April 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1512. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.0202(b), Table of Allotments, FM Broadcast Stations (Huachuca City, Arizona; Puerto Rico, Arizona; Pine Level Alabama)" (Doc. No. 00-208, 00-209, 00-211) received on April 18, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1513. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hinton, Whiting, and Underwood, Iowa; and Blair Nebraska)" (Doc. No. 99-94) received on April 18, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1514. A communication from the Acting Assistant Administrator for Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Funding Availability for Research Projects of the Causes for the Decline of Steller Sea Lions in Waters Off Alaska" received on April 18, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1515. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule Implementing Changes in the Mackerel Catch Specifications for the Gulf Migratory Group of King Mackerel Under the Fishery Management Plan for Coastal Migratory Pelagic Resources in the Gulf of Mexico and South Atlantic Region" (RIN0648-AN85) received on April 18, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1516. A communication from the Chief of the Market Disputes Resolution Division, Enforcement Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Rules Governing Procedures to be Followed When Formal Complaints are Filed Against Common Carriers" (Doc. 96-238) received on April 18, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1517. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (Hastings, NE) received on April 18, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1518. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Division, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Avalon, Fountain Valley, Adelanto, Ridgecrest and Riverside, California)" (Doc. No. 99-329) received on April 18, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1519. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments" ((RIN2120-AA65)(2001-0025)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1520. A communication from the Program Analyst of the Federal Aviation Ad-

ministration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establish Class E Airspace; Salisbury, MD" ((RIN2120-AA66)(2001-0073)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1521. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establish Class E Airspace; Seneca Falls, NY" ((RIN2120-AA66)(2001-0074)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1522. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (63)" ((RIN2120-AA65)(2001-0026)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1523. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments (22)" ((RIN2120-AA63)(2001-0003)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1524. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A330-301, -321, -341, and -342 Airplanes; and Model A340-211, -212, -213, -311, -312, and -313 Series Airplanes" ((RIN2120-AA64)(2001-0181)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1525. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model DC 9, 33, 42, 55, and 61 Series Airplanes" ((RIN2120-AA64)(2001-0182)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1526. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; Shreveport Downtown Airport, Shreveport, LA" ((RIN2120-AA66)(2001-0072)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1527. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model DC 10 and MD 11 Series Airplanes, and KC 10A Airplanes" ((RIN2120-AA64)(2001-0179)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1528. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Eurocopter France Model AS 350B, BA, B1, B2, and D; and AS 355E, F, F1, F2, and N Helicopters" ((RIN2120-AA64)(2001-0180)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1529. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Ap-

proach Procedures; Miscellaneous Amendments (24)" ((RIN2120-AA65)(2001-0024)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1530. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (41)" ((RIN2120-AA65)(2001-0022)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1531. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-600, 700, and 800 Series Airplanes" ((RIN2120-AA64)(2001-0184)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1532. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (86)" ((RIN2120-AA65)(2001-0021)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1533. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A330-301, 321, 322 Series Airplanes and Model A340 Series Airplanes" ((RIN2120-AA64)(2001-0183)) received on April 23, 2001; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on Finance, without amendment:

S. 763. An original bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes (Rept. No. 107-12).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HUTCHINSON (for himself, Mrs. LINCOLN, Mr. BREAU, and Mr. DEWINE):

S. 758. A bill to amend the Food Security Act of 1985 to authorize the annual enrollment of land in the wetlands reserve program, to extend the wetlands reserve program through 2005, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SMITH of New Hampshire:

S. 759. A bill to amend title 4 of the United States Code to prohibit a State from imposing a discriminatory tax on income earned within such State by nonresidents of such State; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. ROCKEFELLER, Mr. JEFFORDS, Mr. KERRY, Ms. COLLINS, Mr. LIEBERMAN, Mr. CHAFFEE, Mr. CRAPO, and Mr. SMITH of Oregon):

S. 760. A bill to amend the Internal Revenue Code of 1986 to encourage and accelerate the nationwide production, retail sale, and consumer use of new motor vehicles that are powered by fuel cell technology, hybrid technology, battery electric technology, alternative fuels, or other advanced motor vehicle technologies, and for other purposes; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. DASCHLE, Mr. BINGAMAN, Mr. JOHNSON, and Mr. INOUE):

S. 761. A bill to provide loans for the improvement of telecommunications services on Indian reservations; to the Committee on Indian Affairs.

By Mr. CONRAD (for himself, Ms. SNOWE, Mr. REID, Mr. DEWINE, Mr. ROCKEFELLER, and Mr. JOHNSON):

S. 762. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for information technology training expenses and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY:

S. 763. An original bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mrs. FEINSTEIN (for herself, Mr. SMITH of Oregon, Mr. BINGAMAN, Mrs. MURRAY, Ms. CANTWELL, and Mr. LIEBERMAN):

S. 764. A bill to direct the Federal Energy Regulatory Commission to impose just and reasonable load-differentiated demand rates or cost-of-service based rates on sales by public utilities of electric energy at wholesale in the western energy market, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWNBACK (for himself, Mr. REID, Mr. LUGAR, and Mr. DEWINE):

S. 765. A bill to amend the Internal Revenue Code of 1986 to provide a carbon sequestration investment tax credit, and for other purposes; to the Committee on Finance.

By Mr. HUTCHINSON:

S. 766. A bill to impose notification and reporting requirements in connection with grants of waivers of the limitation on certain procurements of the Department of Defense that is known as the Berry amendment, and for other purposes; to the Committee on Armed Services.

By Mr. REED (for himself, Mr. CORZINE, Mr. KENNEDY, Mrs. CLINTON, Mr. DURBIN, Mrs. FEINSTEIN, Mr. LEVIN, Mr. TORRICELLI, Mr. KERRY, Mr. CHAFEE, Mrs. BOXER, Mr. SCHUMER, Ms. MIKULSKI, Mr. WELLSTONE, Mr. GRAHAM, Mr. INOUE, Mr. CARPER, Mr. WYDEN, Mr. SARBANES, Mr. AKAKA, and Mr. HOLLINGS):

S. 767. A bill to extend the Brady background checks to gun shows, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER:

S. 768. A bill to amend section 8339(p) of title 5, United States Code, to clarify the method for computing certain annuities under the Civil Service Retirement System which are based (in whole or in part) on part-time service, and for other purposes; to the Committee on Governmental Affairs.

By Mr. BROWNBACK (for himself, Mr. REID, Mr. LUGAR, and Mr. DEWINE):

S. 769. A bill to establish a carbon sequestration program and an implementing panel within the Department of Commerce to enhance international conservation, to promote the role of carbon sequestration as a

means of slowing the buildup of greenhouse gases in the atmosphere, and to reward and encourage voluntary, pro-active environmental efforts on the issue of global climate change; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEVIN (for himself and Mr. JEFFORDS):

S. 770. A bill to amend part A of title IV of the Social Security Act to allow up to 24 months of vocational educational training to be counted as a work activity under the temporary assistance to needy families program; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. ALLEN):

S. J. Res. 13. A joint resolution conferring honorary citizenship of the United States on Paul Yves Roch Gilbert du Motier, also known as the Marquis de Lafayette; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself, Mrs. BOXER, Mr. CRAPO, Mrs. MURRAY, Mr. JEFFORDS, Mr. AKAKA, Mr. GREGG, Mr. DODD, Ms. SNOWE, Mr. BIDEN, Mr. INHOFE, Mr. REID, Mr. TORRICELLI, Mr. FEINGOLD, Mr. KERRY, Mr. GRAHAM, Mr. BINGAMAN, Ms. MIKULSKI, Ms. LANDRIEU, Ms. STABENOW, Mr. DASCHLE, Mr. LEVIN, Mr. BAUCUS, Mrs. CLINTON, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. SARBANES, Mr. JOHNSON, Mr. CORZINE, Mr. LIEBERMAN, Mr. WELLSTONE, Mr. KENNEDY, and Mr. BAYH):

S. Res. 72. A resolution designating the month of April as "National Sexual Assault Awareness Month"; to the Committee on the Judiciary.

By Mr. GREGG (for himself and Mr. LIEBERMAN):

S. Con. Res. 33. A concurrent resolution supporting a National Charter Schools Week; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS— MONDAY, APRIL 23, 2001

S. 21

At the request of Mr. DASCHLE, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 21, a bill to establish an off-budget lockbox to strengthen Social Security and Medicare.

S. 133

At the request of Mr. BAUCUS, the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from Michigan (Mr. LEVIN), the Senator from Washington (Mrs. MURRAY), and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of S. 133, a bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for employer-provided educational assistance programs, and for other purposes.

S. 152

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire (Mr. SMITH of New Hampshire) was added as a cosponsor of S. 152, a bill to amend the Internal Revenue Code of 1986 to eliminate the 60-month

limit and increase the income limitation on the student loan interest deduction.

S. 170

At the request of Mr. REID, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Colorado (Mr. ALLARD), and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 170, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

S. 177

At the request of Mr. AKAKA, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 177, a bill to amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

S. 219

At the request of Mr. DODD, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 219, a bill to suspend for two years the certification procedures under section 490(b) of the Foreign Assistance Act of 1961 in order to foster greater multilateral cooperation in international counter-narcotics programs, and for other purposes.

S. 311

At the request of Mr. DODD, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to provide for partnerships in character education.

S. 326

At the request of Ms. COLLINS, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 326, a bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services and to permanently increase payments for such services that are furnished in rural areas.

S. 388

At the request of Mr. MURKOWSKI, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 388, a bill to protect the energy and security of the United States and decrease America's dependency on foreign oil sources to 50 percent by the year 2011 by enhancing the use of renewable energy resources conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies; improve environmental quality by reducing emissions of air pollutants and greenhouse gases; mitigate the effect of increases in energy

prices on the American consumer, including the poor and the elderly; and for other purposes.

S. 389

At the request of Mr. MURKOWSKI, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 389, a bill to protect the energy and security of the United States and decrease America's dependency on foreign oil sources to 50 percent by the year 2011 by enhancing the use of renewable energy resources conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies; improve environmental quality by reducing emissions of air pollutants and greenhouse gases; mitigate the effect of increases in energy prices on the American consumer, including the poor and the elderly; and for other purposes.

S. 392

At the request of Mr. SARBANES, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 392, a bill to grant a Federal Charter to Korean War Veterans Association, Incorporated, and for other purposes.

S. 440

At the request of Mr. CAMPBELL, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 440, a bill to establish a matching grant program to help State and local jurisdictions purchase bullet-resistant equipment for use by law enforcement departments.

S. 441

At the request of Mr. CAMPBELL, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 441, a bill to provide Capitol-flown flags to the families of law enforcement officers and firefighters killed in the line of duty.

S. 452

At the request of Mr. MURKOWSKI, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Idaho (Mr. CRAPO), and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 452, a bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians, providers of services, and ambulance providers that are attempting to properly submit claims under the medicare program to ensure that the Secretary does not target inadvertent billing errors.

S. 461

At the request of Mr. FRIST, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 461, a bill to support educational partnerships, focusing on mathematics, science, and technology, between institutions of higher education and elementary schools and secondary schools, and for other purposes.

S. 497

At the request of Mr. LEAHY, the names of the Senator from Wisconsin (Mr. KOHL), the Senator from South Dakota (Mr. DASCHLE), the Senator from Nevada (Mr. REID), the Senator

from Rhode Island (Mr. CHAFFEE), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 497, a bill to express the sense of Congress that the Department of Defense should field currently available weapons, other technologies, tactics and operational concepts that provide suitable alternatives to anti-personnel mines and mixed anti-tank mine systems and that the United States should end its use of such mines and join the Convention on the Prohibition of Anti-Personnel Mines as soon as possible, to expand support for mine action programs including mine victim assistance, and for other purposes.

S. 590

At the request of Mr. JEFFORDS, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 590, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit for health insurance costs, and for other purposes.

S. 655

At the request of Mr. MCCAIN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 655, a bill to amend the Internal Revenue Code of 1986 to exempt from income taxation income derived from natural resources-related activity by a member of an Indian tribe directly or through a qualified Indian entity.

S. 656

At the request of Mr. REED, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 660

At the request of Mr. MCCAIN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 660, a bill to amend the Internal Revenue Code of 1986 to provide for the issuance of tax-exempt bonds by Indian tribal governments, and for other purposes.

S. 707

At the request of Mr. CRAPO, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 707, a bill to provide grants for special environmental assistance for the regulation of communities and habitat ("SEARCH grants") to small communities.

S. 718

At the request of Mr. MCCAIN, the names of the Senator from North Carolina (Mr. EDWARDS) and the Senator from Illinois (Mr. FITZGERALD) were added as cosponsors of S. 718, a bill to direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing drugs by athletes, and for other purposes.

S. 721

At the request of Mr. HUTCHINSON, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 721, a bill to amend the Public Health Service Act to establish a Nurse

Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes.

S. 742

At the request of Mr. GRASSLEY, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 742, a bill to provide for pension reform, and for other purposes.

S. RES. 66

At the request of Mr. THOMAS, the names of the Senator from Florida (Mr. GRAHAM), the Senator from Virginia (Mr. ALLEN), and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. Res. 66, a resolution expressing the sense of the Senate regarding the release of twenty-four United States military personnel currently being detained by the People's Republic of China.

S. CON. RES. 14

At the request of Mr. CAMPBELL, the names of the Senator from North Carolina (Mr. HELMS) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. Con. Res. 14, a concurrent resolution recognizing the social problem of child abuse and neglect, and supporting efforts to enhance public awareness of it.

S. CON. RES. 24

At the request of Mr. LIEBERMAN, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. Con. Res. 24, a concurrent resolution expressing support for a National Reflex Sympathetic Dystrophy (RSD) Awareness Month.

S. CON. RES. 28

At the request of Ms. SNOWE, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. Con. Res. 28, a concurrent resolution calling for a United States effort to end restrictions on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

#### ADDITIONAL COSPONSORS— TUESDAY, APRIL 24, 2001

S. 39

At the request of Mr. STEVENS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 39, a bill to provide a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty, and for other purposes.

S. 41

At the request of Mr. HATCH, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 41, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit and to increase the rates of the alternative incremental credit.

S. 88

At the request of Mr. ROCKEFELLER, the names of the Senator from Washington (Ms. CANTWELL) and the Senator

from Minnesota (Mr. DAYTON) were added as cosponsors of S. 88, a bill to amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability.

S. 161

At the request of Mr. WELLSTONE, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from New York (Mr. SCHUMER), and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 161, a bill to establish the Violence Against Women Office within the Department of Justice.

S. 170

At the request of Mr. REID, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 170, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

S. 177

At the request of Mr. AKAKA, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 177, a bill to amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

S. 206

At the request of Mr. SHELBY, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 206, a bill to repeal the Public Utility Holding Company Act of 1935, to enact the Public Utility Holding Company Act of 2001, and for other purposes.

S. 281

At the request of Mr. HAGEL, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 281, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 305

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 305, a bill to amend title 10, United States Code, to remove the reduction in the amount of Survivor Benefit Plan annuities at age 62.

S. 311

At the request of Mr. DODD, the names of the Senator from Missouri (Mrs. CARNAHAN) and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to provide for partnerships in character education.

S. 345

At the request of Mr. ALLARD, the names of the Senator from South Da-

kota (Mr. JOHNSON) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 345, a bill to amend the Animal Welfare Act to strike the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 350

At the request of Mr. CHAFEE, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 350, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.

S. 403

At the request of Mr. COCHRAN, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 403, a bill to improve the National Writing Project.

S. 413

At the request of Mr. COCHRAN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 413, a bill to amend part F of title X of the Elementary and Secondary Education Act of 1965 to improve and refocus civic education, and for other purposes.

S. 512

At the request of Mr. DORGAN, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 512, a bill to foster innovation and technological advancement in the development of the Internet and electronic commerce, and to assist the States in simplifying their sales and use taxes.

S. 567

At the request of Mr. SESSIONS, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 567, a bill to amend the Internal Revenue Code of 1986 to provide capital gain treatment under section 631(b) of such Code for outright sales of timber by landowners.

S. 570

At the request of Mr. BIDEN, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 570, a bill to establish a permanent Violence Against Women Office at the Department of Justice.

S. 623

At the request of Mr. ROCKEFELLER, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to improve access to health insurance and Medicare benefits for individuals ages 55 to 65, to amend the Internal Revenue Code of 1986 to

allow a 50 percent credit against income tax for payment of such premiums and of premiums for certain COBRA continuation coverage, and for other purposes.

S. 640

At the request of Mr. THOMPSON, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 640, a bill to amend the Internal Revenue Code of 1986 to include wireless telecommunications equipment in the definition of qualified technological equipment for purposes of determining the depreciation treatment of such equipment.

S. 661

At the request of Mr. THOMPSON, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 661, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel exercise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

S. 673

At the request of Mr. HAGEL, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 673, a bill to establish within the executive branch of the Government an interagency committee to review and coordinate United States non-proliferation efforts in the independent states of the former Soviet Union.

S. 676

At the request of Mr. HATCH, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 676, a bill to amend the Internal Revenue Code of 1986 to extend permanently the subpart F exemption for active financing income.

S. 677

At the request of Mr. HATCH, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 677, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financing to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 686

At the request of Mrs. LINCOLN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 686, a bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for energy efficient appliances.

S. 694

At the request of Mr. LEAHY, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 694, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 697

At the request of Mr. BAUCUS, the names of the Senator from West Virginia (Mr. BYRD) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 697, a bill to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries.

At the request of Mr. HATCH, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Ohio (Mr. DEWINE), and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 697, supra.

At the request of Mr. HATCH, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Ohio (Mr. DEWINE), and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 697, supra.

S. CON. RES. 11

At the request of Mrs. FEINSTEIN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Michigan (Ms. STABENOW), and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. Con. Res. 11, a concurrent resolution expressing the sense of Congress to fully use the powers of the Federal Government to enhance the science base required to more fully develop the field of health promotion and disease prevention, and to explore how strategies can be developed to integrate lifestyle improvement programs into national policy, our health care system, schools, workplaces, families and communities.

S. CON. RES. 28

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. Con. Res. 28, a concurrent resolution calling for a United States effort to end restrictions on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HUTCHINSON (for himself, Mrs. LINCOLN, Mr. BREAUX, and Mr. DEWINE):

S. 758. A bill to amend the Food Security Act of 1985 to authorize the annual enrollment of land in the wetlands reserve program, to extend the wetlands reserve program through 2005, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the legislation that I am introducing today with Senators LINCOLN, BREAUX, and DEWINE be printed in the RECORD.

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

S. 758

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

SECTION 1. WETLANDS RESERVE PROGRAM.

(a) ANNUAL ENROLLMENT AUTHORITY.—Section 1237(b) of the Food Security Act of 1985

(16 U.S.C. 3837(b)) is amended by striking paragraph (1) and inserting the following:

“(1) ANNUAL ENROLLMENT AUTHORITY.—For each of calendar years 2001 through 2005, the Secretary may enroll in the wetlands reserve program not more than 250,000 acres.”.

(b) EXTENSION OF PROGRAM.—

“(1) IN GENERAL.—Section 1237(c) of the Food Security Act of 1985 (16 U.S.C. 3837(c)) is amended by striking “2002” and inserting “2005”.

“(2) FUNDING.—Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended by striking “2002” and inserting “2005”.

(c) COOPERATIVE AGREEMENTS.—Section 1237F of the Food Security Act of 1985 (16 U.S.C. 3837f) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

“(b) COOPERATIVE AGREEMENTS.—Notwithstanding chapter 63 of title 31, United States Code, for purposes of carrying out this subchapter, the Secretary may enter into a cooperative agreement with a State, a political subdivision of a State, or any organization or person, for the acquisition of goods or services (including personal services) if the Secretary determines that—

“(1) the purposes of the agreement serve wetland conservation;

“(2) all parties to the agreement contribute resources to the accomplishment of the purposes; and

“(3) the agreement furthers the purposes of this subchapter.”.

By Mr. SMITH of New Hampshire:

S. 759. A bill to amend title 4 of the United States Code to prohibit a State from imposing a discriminatory tax on income earned within such State by nonresident of such State; to the Committee on Finance.

THE NONRESIDENT INCOME TAX FREEDOM ACT OF 2001

Mr. SMITH of New Hampshire. Mr. President, I rise today to introduce a bill called “The Nonresident Income Tax Freedom Act of 2001.”

My legislation would prohibit a state from imposing income taxes on income earned within such state by nonresidents of such state.

Simply put, my bill bans state income taxes levied on nonresident workers.

I am sure that every American has studied the Boston Tea Party.

In 1776, the 13 American colonies refused to pay unjust taxes and declared their independence from Britain.

The resulting American revolution was a revolution of ideas and together the 13 colonies created a government which derived its just authority from the consent of the governed.

In 1764, Britain imposed the Sugar Act on the American colonies, that tax was followed by the Stamp Act and the Townshend Revenue Act.

The Stamp Act was essentially a paper tax of less than one cent, but this tax inspired the formation of the Sons of Liberty, who burned the stamps in protest of the tax.

A tea tax was imposed on the American colonies of less than one cent, but this tax motivated Bostonians to protest the tax in the Boston Tea Party.

The result of these British taxes were that Americans openly rebelled in order to fight those unjust taxes.

I am not comparing the current situation to the American revolution, but I am proposing legislation consistent with the theme of the American Revolution—No taxation without representation.

When a citizen from New Hampshire goes to work in Massachusetts or Maine or Vermont and pays their income tax, it is not reciprocated. We don't have an income tax. We don't tax them. They don't live in that State, and, therefore, I don't believe they should pay that tax.

My bill will grant Federal protection for nonresident taxpayers and prohibit this taxation without representation.

I hope my colleagues will look carefully at this regardless of the tax situation in their own States. The State of Oklahoma, or the State of New Hampshire, or any other State has a perfect right to tax its citizens in whatever way the citizens allow their elected representatives. But the question is, Should the citizens of Wyoming or some other State tell another State what taxes they should pay on their citizens?

The problem exists today where workers from one State are being taxed by others, and these taxpayers have no vote. They have no say and no recourse into how their income tax money is spent. Approximately 90,000 from New Hampshire go to Massachusetts and work. The taxes are collected from them for Massachusetts income taxes. They have no recourse. They have to pay those taxes.

As a matter of fact, New Hampshire residents pay over \$200 million in income taxes to Maine, Massachusetts, and Vermont, all of which have income taxes. New Hampshire doesn't. In 1999, Vermont imposed an income tax on 10,840 New Hampshire residents and raised \$10.2 million in revenue off the backs of New Hampshire workers who had nothing to say about it, nor could they do anything about it.

In 1998, Massachusetts levied an income tax on 89,336 New Hampshire residents and raised \$184 million, again, off the residents of New Hampshire.

And finally, in Maine, in 1998, 8,219 New Hampshire residents were taxed and \$9.3 million was raised in revenue.

This is taxation without representation. I am not trying to start another Revolutionary War here, but it is not fair. I believe that whether you have an income tax or not in your State, the issue is really should you be able to levy an income tax against another citizen who lives in another State.

In New Hampshire, we have always had a keen interest in taxes, as a matter of fact, a keen interest in less taxes. One of the greatest Governors in the history of our State, Gov. Meldrim Thomson, passed away last Thursday at the age of 89. Mel Thomson was a hero to many of us in the antitax movement. His campaign theme, when

he ran for Governor three times, was "ax the tax." And that he did. He fought taxes and cut taxes time and time again in our State. He helped our State to assume that true "live free or die" tradition that is so popular and so well known.

It is a strength that New Hampshire politicians have not allowed a State income tax to be levied on the hard-working residents of that State. People still do not understand it. They come to me and say: How can you do this without an income tax? How do you get along? We do it through frugality and responsibility and taking care of the hard-earned dollars of our taxpayers.

As recently as last week, my friends in the New Hampshire State House defeated a sales tax proposal. I congratulate them for it. The Republican-led legislature knocked down a 2.5-percent sales tax which would have helped Maine, Massachusetts, and Vermont to discourage their State citizens from coming across the border to shop because we would have begun to get our States equalized in their taxes.

We have this great tradition in New Hampshire of less taxes, less spending, and fiscal responsibility. That is why I was pleased and proud just today—and I know the Presiding Officer's rating is high up in this rating; and I will check the rating—I was pleased today to be told the National Taxpayers Union ranked me No. 7 in the Senate for fiscal responsibility on cutting spending, cutting taxes, and cutting regulations. It is an award of which I am very proud. But it is not so much me; it is tradition in New Hampshire.

If you advocate those sales taxes, if you advocate those income taxes, if you advocate more taxes, you won't be reelected. There are a lot of people who said, let's have a sales or income tax, and they have been defeated and have not been heard from since, and many of them had to leave town.

I think it is rather unfortunate Governor Thomson passed away at the very time President Bush—a man who Governor Thompson admired, and President Bush admired Governor Thompson as well; it was reciprocal—but at the very time President Bush is proposing a \$1.6 trillion tax cut for the American people, the man who led the "ax the tax" fight in New Hampshire has passed away. So President Bush has picked up the torch from Governor Thomson, and New Hampshire is proud of that.

I am proud of President Bush's budget proposal to provide the typical family of four paying income taxes \$1,600 in tax relief.

John Marshall said: "The power to tax is the power to destroy." Taxes have to be used responsibly. As I said today, when I was asked about the National Taxpayers Union rating, it does not mean we do not spend money. We do spend money. We have a responsibility to spend money for our military, for those in need, or whatever. But we have to spend it responsibly. I think that is the key issue.

The taxers in New Hampshire's neighboring States are very clever. They impose the income tax on New Hampshire residents without any fear whatsoever of any political retaliation. It is really cowardice. The officials there tax citizens from my State of New Hampshire who go into Massachusetts to work, and they cannot vote. They cannot vote. They do not have any say about it. What can they do about it? It is not fair. We ought to change it. I say that with respect to my colleagues no matter what the tax status of your own State is. Tax all you want in your State, but do not tax people from another State. And I think that is fair.

Today's average taxpayer faces a combined Federal, State, and local burden of nearly 50 percent of their income. I think that is a little too much. It is time for a change. This is one small way to help New Hampshire citizens, as I know so many are trying to help all of our citizens with tax cuts at the national level.

So I ask my colleagues to support George W. Bush's tax cut and my tax fairness initiative to give certainly New Hampshire citizens and all Americans a little boost for their pocketbooks, so they can spend some money the way they would like to spend it, to have it in their pockets. That \$200 million in the pockets of taxpayers in New Hampshire can be used for a lot of things they would like to use it for, including college education, health care, putting money away for a rainy day, or whatever.

I close by saying, my bill amends chapter 4 of title 4 of the U.S. Code to add a provision that says, "a State or political subdivision thereof may not impose a tax on income earned within such State or political subdivision by non-residents of such State." In other words, if they are not your citizens, then you cannot tax them with an income tax. It explicitly allows a State, however—and this is a very important point—if two States want to enter into a voluntary compact or agreement to tax one another—if the two States agree—they can do that. There is an exception for that if the two States agree.

This is consistent with the theme of "no taxation without representation" because residents who become angry at politicians who vote for income tax compacts can vote the offending politician out of office. That is why it is good.

I look forward to pressing hard on this and getting the attention of my colleagues. It is my hope I can be a part of the President's push to restore reason and good sense to the Federal tax law.

I ask my colleagues to support me on the Nonresident Income Tax Freedom Act of 2001 to help thousands of New Hampshire citizens who are treated unfairly by taxation without representation.

By Mr. CONRAD (for himself, Ms. SNOW, Mr. REID, Mr. DEWINE, Mr. ROCKFELLER, and Mr. JOHNSON):

S. 762. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for information technology training expenses and for other purposes; to the Committee on Finance.

Mr. CONRAD. Mr. President, during the final months of the 106th Congress, the Senate and House completed action on the American Competitiveness in the 21st Century Act which will respond to the shortage of skilled IT workers and help ensure our nation's continued growth and leadership in the information technology field. Congress increased the cap on the number of H1B visas available for foreign workers with high-tech skills to fill the job vacancies in information technology in the US.

As important as action by Congress to permit companies to hire foreign-born skilled IT workers is, this legislation by itself will not address our long-term IT worker needs. Throughout the recent debate on the IT worker shortage, I have urged that we focus our efforts on IT training and partnerships between the business and education communities. Many excellent partnerships between the IT community, state and local government, high schools, and colleges and universities that provide individuals of all ages with education and training opportunities in information technology are already underway.

Partnerships include ExplorNet, a non-profit organization working with local community and school officials to train educators and students to rebuild computers; e-learning opportunities for IT training through more than 100 community colleges nationwide, including Bismarck State College; Cisco Systems Training Academies in many school districts; AOL/Time Warner Foundation's "Time to Read" literacy program; Green Thumb and Microsoft working with seniors to improve their IT skills; Great Plains Software's, Fargo, ND, partnership with Valley City State University; and Texas Instruments sponsored training for educators to improve technology skills in the classroom. These are excellent examples of the IT and education communities working together to meet the growing demand for information technology skills.

Although these partnerships are helping to train individuals to fill many IT job vacancies, these educational opportunities cannot keep pace with the demand for workers with advanced technical skills—a demand that continues for the long term despite our current economic slowdown and recent layoffs in the IT sector. Furthermore, continuing to rely on foreign workers who obtain H1B visas is not the answer to our shortage of skilled IT professionals.

A report of 685 companies released by the Information Technology Association of America ITAA, on April 2, 2001, confirms this continuing demand for skilled IT workers. The ITAA assessment of the current IT job market, although reporting a significant decline in the demand for IT workers because of the economic slowdown, confirms there are thousands of positions that employers are not able to fill because firms are unable to find workers with the necessary technical skills. The study estimates there are currently 425,000 vacancies in the IT field for skilled technical positions. Harris Miller, president, of ITAA, remarked, “. . . hiring has by no means halted for IT workers, rather, demand still far exceeds supply in this market. Miller continues to encourage individuals to pursue advanced technical education programs. He remarked, “this is actually the time to prepare yourself.”

Mr. President, in response to this continuing long-term demand for skilled IT workers, I am introducing legislation, the Technology Education and Training Act of 2001, TETA, to provide a tax credit for businesses offering IT training and to enable individuals enrolled in certified IT training to take advantage of the Hope Scholarship and Lifetime Learning Credits. This legislation is similar to a bill that I introduced in the 106th Congress, and I am particularly pleased that Senator SNOWE is joining me again in this bipartisan effort as the principal cosponsor. Also joining me as cosponsors are Senators REID, DEWINE, ROCKEFELLER, and JOHNSON, colleagues who have taken leadership roles in focusing attention on the importance of information technology for our economy and encouraging IT education and partnerships.

I am honored that this legislation is also endorsed by a broad coalition of IT, business and educational organizations, including Computing Technology Industry Association, CompTIA, the Technology Workforce Coalition, the American Society for Training and Development, the Information Technology Association of America, the Information Technology Training Association, the Career College Association, the National Association of Computer Consultant Businesses, Cisco Systems, Novell, Compaq Computer Corporation, Gateway and Microsoft.

Under our legislation, businesses would receive a credit against taxes equal to 100 percent of the first \$1,500 of information technology training expenses for non-degree IT skills certification on behalf of a current or prospective employee. The credit would increase to \$2,000 if the training program is offered in an empowerment zone, an enterprise community, an area declared a disaster zone, a school district with 50 percent or more of students participating in the school lunch program, a tribal community, a rural enterprise community, involves a small business with 200 or fewer em-

ployees or involves an individual with a disability.

Additionally, this legislation would amend current law regarding the Hope Scholarship and Lifetime Learning Credits to permit individuals enrolled in non-degree IT training programs and not attending a Title IV institution to be eligible to apply for the Hope Scholarship or Lifetime Learning Credit. Under current law, individuals are not eligible to take advantage of the Hope Scholarship or the Lifetime Learning Credits unless the programs are offered through a Title IV higher education or proprietary institution.

In order to qualify for the Hope Scholarship or Lifetime Learning Credit, the IT training program must lead to certification in an IT skill similar to programs offered by Cisco, Microsoft, Novell, and CompTIA. Under the proposed changes in the Technology Education and Training Act, the certification offered by the commercial information technology training provider must be approved by the Secretary of Treasury in consultation with an Information Technology Training Certification Board.

The shortage of skilled information technology workers will continue to be a major concern for all sectors of our economy despite the current economic slowdown and the recent layoffs in the IT sector. Our continued growth and leadership in information technology will depend on a sufficient number of highly trained workers. Additionally, as economies around the world rebound and countries, particularly in Asia, develop their own high-tech corridors, it will be difficult to continue to recruit high-tech workers from these countries to meet the needs of our own economy.

Rather than continue our dependency on the H1B program, I believe that encouraging partnerships between the IT and education communities and authorizing additional incentives for businesses and individuals to take advantage of IT skills training offers a more reasonable approach to meeting our long-term high-tech worker needs. The Technology Education and Training Act authorizes important initiatives to respond to this critical shortage. I welcome additional cosponsors of this legislation and urge my colleagues on the Senate Finance Committee to support the proposed changes in TETA during consideration of tax legislation in the 107th Congress.

I ask unanimous consent that the text of this legislation along with statements of endorsement for the Technology Education and Training Act from the Technology Workforce Coalition, the Information Technology Association of America, and the American Society for Training and Development be printed in the RECORD.

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

S. 762

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Technology Education and Training Act of 2001”.

#### SEC. 2. CREDIT FOR INFORMATION TECHNOLOGY TRAINING PROGRAM EXPENSES.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

##### “SEC. 30B. INFORMATION TECHNOLOGY TRAINING PROGRAM EXPENSES.

“(a) GENERAL RULE.—In the case of a taxpayer engaged in a trade or business during the taxable year, there shall be allowed as a credit against the tax imposed by this chapter for such taxable year an amount equal to 100 percent of information technology training program expenses of the taxpayer and any employee of the taxpayer paid or incurred by the taxpayer during such taxable year.

“(b) LIMITATION.—

“(1) IN GENERAL.—The amount of information technology training program expenses with respect to any individual which may be taken into account under subsection (a) for the taxable year shall not exceed \$1,500.

“(2) INCREASE IN CREDIT AMOUNT FOR PARTICIPATION IN CERTAIN PROGRAMS AND FOR CERTAIN INDIVIDUALS.—The dollar amount in paragraph (1) shall be increased (but not above \$2,000) by the amount of information technology training program expenses paid or incurred by the taxpayer—

“(A) with respect to a program operated—

“(i) in an empowerment zone or enterprise community designated under part I of subchapter U or a renewal community designated under part I of subchapter X,

“(ii) in a school district in which at least 50 percent of the students attending schools in such district are eligible for free or reduced-cost lunches under the school lunch program established under the National School Lunch Act,

“(iii) in an area designated as a disaster area by the Secretary of Agriculture or by the President under the Disaster Relief and Emergency Assistance Act in the taxable year or the 4 preceding taxable years,

“(iv) in a rural enterprise community designated under section 766 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999,

“(v) in an area designated by the Secretary of Agriculture as a Rural Economic Area Partnership Zone,

“(vi) in an area over which an Indian tribal government (as defined in section 7701(a)(40)) has jurisdiction, or

“(vii) by an employer who has 200 or fewer employees for each business day in each of 20 or more calendar weeks in the current or preceding calendar year, or

“(B) in the case of an individual with a disability.

“(c) INFORMATION TECHNOLOGY TRAINING PROGRAM EXPENSES.—For purposes of this section—

“(1) IN GENERAL.—The term ‘information technology training program expenses’ means expenses paid or incurred by reason of the participation of the taxpayer (or any employee of the taxpayer) in any information technology training program if such expenses lead to an industry-accepted information technology certification for the participant. Such term shall only include expenses paid for in connection with course work and certification testing which is essential to assessing skill acquisition.

“(2) INFORMATION TECHNOLOGY TRAINING PROGRAM.—The term ‘information technology training program’ means a program for an industry-accepted information technology certification—

“(A) by any information technology trade association or corporation, and

“(B) which—

“(i) is provided for the employees of such association or corporation, or

“(ii) involves—

“(I) employers, and

“(II) State training programs, school districts, university systems, higher education institutions (as defined in section 101(b) of the Higher Education Act of 1965), or certified commercial information technology training providers.

“(3) CERTIFIED COMMERCIAL INFORMATION TECHNOLOGY TRAINING PROVIDER.—

“(A) IN GENERAL.—The term ‘certified commercial information technology training provider’ means a private sector organization providing an information technology training program which leads to an approved information technology industry certification for the participants.

“(B) APPROVED INDUSTRY CERTIFICATION.—For purposes of paragraph (1), an information technology industry certification shall be considered approved if such certification is approved by the Secretary, in consultation with the Information Technology Training Certification Advisory Board.

“(d) DENIAL OF DOUBLE BENEFIT.—No deduction or credit under any other provision of this chapter shall be allowed with respect to information technology training program expenses taken into account for the credit under this section.

“(e) CERTAIN RULES MADE APPLICABLE.—For purposes of this section, rules similar to the rules of section 45A(e)(2) and subsections (c), (d), and (e) of section 52 shall apply.

“(f) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) for any taxable year shall not exceed the excess (if any) of—

“(1) the regular tax for the taxable year reduced by the sum of the credits allowable under the subpart A and the previous sections of this subpart, over

“(2) the tentative minimum tax for the taxable year.”

(b) CLERICAL AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

“Sec. 30B. Information technology training program expenses.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2001.

### SEC. 3. INFORMATION TECHNOLOGY TRAINING CERTIFICATION ADVISORY BOARD.

(a) ESTABLISHMENT.—There is established an Information Technology Training Certification Advisory Board (in this section referred to as the “Board”).

(b) MEMBERSHIP.—The Board shall be composed of not more than 15 members appointed by the Secretary of the Treasury from among individuals—

(1) associated with information technology certification and training associations and businesses; and

(2) who are not officers or employees of the Federal Government.

(c) MEETINGS.—The Board shall meet not less often than annually.

(d) CHAIRPERSON.—

(1) IN GENERAL.—Subject to paragraph (2), the Board shall elect a Chairperson from among its members.

(2) CHAIRPERSON.—The chairperson shall be an individual who is a member of an information technology industry trade association.

(e) DUTIES.—The Board shall develop a list of information technology industry certifi-

cations, for approval by the Secretary of the Treasury, that qualify the provider of the certification as a certified commercial information technology training provider under section 30B(c)(3) of the Internal Revenue Code of 1986, as added by section (2)(a).

(f) SUBMISSION OF LIST.—Not later than October 1, 2001, and each year thereafter, the Board shall submit the list required under subsection (e) to the Secretary of the Treasury.

(g) BOARD PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Board shall serve without compensation.

(2) TRAVEL EXPENSES.—Each member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Board.

(h) TERMINATION OF THE BOARD.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

### SEC. 4. HOPE SCHOLARSHIP AND LIFETIME LEARNING CREDITS INCLUDE TECHNOLOGY TRAINING CENTERS.

(a) IN GENERAL.—Section 25A(f)(2) of the Internal Revenue Code of 1986 (relating to eligible educational institution) is amended to read as follows:

“(2) ELIGIBLE EDUCATIONAL INSTITUTION.—The term ‘eligible educational institution’ means—

“(A) an institution—

“(i) which is described in section 101(b) of the Higher Education Act of 1965, and

“(ii) which is eligible to participate in a program under title IV of such Act, or

“(B) a certified commercial information technology training provider (as defined in section 30B(c)(3)).”

(b) CONFORMING AMENDMENT.—The second sentence of section 221(e)(2) of the Internal Revenue Code of 1986 is amended by striking “section 25A(f)(2)” and inserting “section 25A(f)(2)(A)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

TECHNOLOGY WORKFORCE COALITION,  
Arlington, VA.

For Immediate Release

SENATE INTRODUCES TAX CREDIT TO EASE IT  
WORKER SHORTAGE

WASHINGTON, APRIL 24, 2001.—Help may soon be available for companies suffering from a shortage of skilled IT workers. On Tuesday, the United States Senate introduced the “Technology Education and Training Act (TETA) of 2001,” which gives individuals and employers tax credits of up to \$2,000 for IT training expenses. Sponsored by Senators Kent Conrad (D-ND), Olympia Snowe (R-ME), Mike DeWine (R-OH), and Harry Reid (D-NV), TETA works to help individuals get needed IT training, thus easing America’s IT worker shortage.

“Headlines may scream out high-tech layoffs, but the plain fact is that IT jobs are going empty because there are not enough skilled people to fill them,” noted Grant Mydland, Director of the Technology Workforce Coalition. Mydland applauded the bill’s introduction and urged Congress’ quick consideration and passage of TETA.

Essentially, TETA:

Provides a tax credit of up to \$1,500 for IT training expenses paid by employers

Amends the HOPE and Lifetime Learning tax credits so individuals can better access IT training courses at all of the available institutions and training centers

Allows tax credits of up to \$2,000 for small businesses, as well as for people residing in

and companies operating in empowerment zones and other qualified areas

“Nearly half of all IT jobs that will be created in 2001 will remain vacant,” Mydland added. “IT drives our economy. TETA gives individuals and companies the necessary educational tools to meet America’s rapidly evolving IT needs. The Senate should be congratulated for its foresight in addressing a significant challenge to U.S. prosperity and growth.”

### SUMMARY OF THE TECHNOLOGY EDUCATION AND TRAINING ACT (TETA) OF 2001

Introduced by Senators Kent Conrad (D-ND), Olympia Snowe (R-ME), Mike DeWine (R-OH), Harry Reid (D-NV), and Representatives Jerry Weller (R-IL) and Jim Moran (D-VA)

Provides a tax credit for 100% of the first \$1,500 of information technology training expenses paid for by an employer.

Amends the HOPE and Lifetime Learning tax credits to make it easier for individuals to use these tax credits for information technology training expenses.

The training program must result in certification.

The allowed credit would be \$2,000 for small businesses and all companies or individuals in enterprise zones, empowerment zones, and other qualified areas.

#### WHY THIS TAX CREDIT IS NECESSARY

According to a 1999 Comp TIA Workforce Study, as a result of unfilled IT positions, the U.S. economy lost \$105.5 billion in spending that would have gone to salaries and training, this reduced household income by \$37.2 billion.

An estimated 268,740 (10%) of IT service and support positions went unfilled in 1999, resulting in \$4.5 billion per year in lost worker productivity.

ITAA study released April 2, 2001, predicts a shortage of 425,000 of the 900,000 new IT workers needed in 2001.

#### A PUBLIC-PRIVATE PARTNERSHIP

Allows the private sector to determine who, what, where and how to train workers.

Helps individuals seek the training they need to enter or re-enter the IT workforce.

Fills the IT worker pipeline with thousands of new and retrained skilled IT workers.

Helps cities all across America fill thousands of available IT jobs.

### THE INFORMATION TECHNOLOGY ASSOCIATION OF AMERICA

For Immediate Release, April 24, 2001.

#### ITAA PRAISES IT TRAINING TAX CREDIT BILL

ARLINGTON, VA.—The Information Technology Association of America (ITAA) today hailed the Technology Education and Training Act of 2001 introduced by Senators Kent Conrad, Olympia Snowe, Mike DeWine and Harry Reid as a vital step toward a permanent fix of the current high-tech workers shortage in the U.S.

The bill would allow employers a \$1500 credit against income tax for expenses incurred by high technology job training programs for employees, and a \$2000 credit for small businesses or all companies in enterprise zones or empowerment zones. ITAA believes the bill would encourage companies to go the extra mile in training U.S. workers for high tech jobs.

“Tax credits for business to train and re-train workers mean more high-paying, high-tech jobs for American workers,” said ITAA President Harris N. Miller. “The current high vacancy rate for IT jobs represents thousands of missed opportunities for American workers, and the impact of failing to address this shortage can be felt as we see more

jobs shipped overseas. This bill is sound public policy."

ITAA is the industry leader in combating the high-tech worker shortage. In its latest study of the demand for IT workers, *When Can You Start?*, ITAA found that the number of needed IT positions in the U.S. had declined to 900,000 for 2001, with an expected vacancy rate of 425,000. While substantially lower than in 2000, the study shows that demand for approximately skilled high tech workers persists.

The Information Technology Association of America (ITAA) provides global public policy, business networking, and national leadership to promote the continued rapid growth of the IT industry. ITAA consists of over 500 direct corporate members throughout the U.S., and a global network of 41 countries' IT associations. The Association plays the leading role in issues of IT industry concern including information security, taxes and finance policy, digital intellectual property protection, telecommunications competition, workforce and education, immigration, online privacy and consumer protection, government IT procurement, human resources and e-commerce policy. ITAA members range from the smallest IT startups to industry leaders in the Internet, software, IT services, ASP, digital content, systems integration, telecommunications, and enterprise solution fields.

THE AMERICAN SOCIETY FOR  
TRAINING AND DEVELOPMENT,  
Alexandria, VA.

For Immediate Release

ASTD ENDORSES THE TECHNOLOGY EDUCATION  
AND TRAINING ACT (TETA) OF 2001

ALEXANDRIA, VA, APRIL 24.—The American Society for Training & Development (ASTD) today congratulated Senator Kent Conrad (D-ND) and other leading members of the U.S. Senate and House of Representatives for introducing the Technology Education & Training Act (TETA) of 2001.

The legislation would provide a tax credit for 100% of the first \$1,500 of IT training expenses paid for by an employer. It also amends the HOPE and Lifetime Learning tax credits to make it easier for individuals to use these tax credits for IT training expenses.

"Given the shortage of skilled IT workers, the Technology Education & Training Act of 2001 will go a long way toward filling the gap and providing access to additional training opportunities offered by higher education institutions and training providers," said Tina Sung, President & CEO of ASTD. "Training is the key to preparing and maintaining a strong workforce."

ASTA's data shows that organizations that make the investment in training are more financially successful. In a study of 575 U.S.-based publicly traded firms during 1996, 1997, and 1998, ASTD found that companies that invested \$680 more in training per employee than the average company in the study improved their Total Shareholder Return (TSR) the next year by six percentage points.

Founded in 1944, ASTD is the world's premiere professional association in the field of workplace learning and performance. ASTD's membership includes more than 70,000 professionals in organizations from every level of the field of workplace learning and performance in more than 100 countries. Its leadership and members work in more than 15,000 multinational corporations, small and medium sized businesses, government agencies, colleges, and universities.

By Mrs. FEINSTEIN (for herself,  
Mr. SMITH of Oregon, Mr.  
BINGAMAN, Mrs. MURRAY, Ms.  
CANTWELL, and Mr. LIEBERMAN):

S. 764. A bill to direct the Federal Energy Regulatory Commission to impose just and reasonable load-differentiated demand rates or cost-of-service based rates on sales by public utilities of electric energy at wholesale in the western energy market, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, by now we know that there will not be enough electricity supply to meet demand in California this summer and that there will be significant rolling blackouts.

As the peak summer demand for power in the State kicks in over the next few months, the crisis is only going to deepen, and we may see electricity prices in California and the Northwest reach unprecedented levels.

And without intervention by the Federal Government, the price gouging that has occurred over the past 6 months will almost certainly continue.

In fact, it looks like California will spend 10 times more for power in 2001 than it spent in 1999, an increase from \$7 billion to \$70 billion.

And I predict that if left unchecked, these price spikes will spread to other states as well.

But despite the severity and scope of this crisis, the Federal Energy Regulatory Commission, FERC, has failed to take necessary steps to address the problem.

Since last August, I have called upon FERC to impose a temporary wholesale price cap or cost of service-based rates on energy prices in the Western market.

But FERC, an agency whose sole mission is to regulate the energy market, has refused to act. Today, we introduce this legislation to force FERC to do its job.

Some have argued that a bill to control energy prices would remove incentives for companies to build additional energy generation, exacerbating the situation.

While I agree that we desperately need new supply, I believe that a price cap would provide temporary price stability and reliability until the market returns to normal.

And quite frankly, I think that with prices for power 10 times more than they were in 1999, there is more than enough incentive for suppliers to sell into the Western market.

With cost of service based rates, energy suppliers would generate significant profits and be guaranteed a reasonable rate of return.

With wholesale price caps, companies would be able to decide for themselves whether it is profitable to produce at a given price.

In fact, the energy crisis we are now experiencing is marked much more by the withholding of energy supply from the market than an unwillingness to build additional generation.

In fact, California expects to have 20,000 additional megawatts on line by 2004, enough power for 20 million additional people.

But because it takes 2-3 years to site new power generation, not enough energy can be brought online in time to help the situation this summer.

Price controls, if done right, could actually bring more power into the market.

Indeed, the temporary cost-based rates and/or the regional price cap that Senator SMITH and I are proposing will eliminate that incentive. Thus, generators would have no reason to withhold power to the market.

With that said, let me talk briefly about what this bill would do: The bill requires FERC to set either a temporary price cap or cost of service based rates (with a reasonable rate of return). And make no mistake this bill is temporary; it is intended to get us through two summers. In order to qualify, a state must allow its utilities to recover costs from ratepayers and a state must pass electricity rates onto ratepayers. Though a state regulatory authority would still determine the manner in which wholesale rates are passed onto consumers. In addition, the bill directs FERC to end the temporary suspension of the natural gas transportation rate cap. Even today the price of natural gas in Southern California is about 3 times the cost in neighboring San Juan, New Mexico, \$13 Decatherm vs. \$4.50 Decatherm. The bill directs FERC to require that anyone selling natural gas in a bundled transaction into California to disclose the commodity and transportation components of the price. When a company purchases both the transportation and commodity components of natural gas, there is no reporting requirement as to the price of each transaction. The bill also requires that all future orders to sell natural gas or electricity to an affected state must include a reasonable assurance of payment.

I am deeply disappointed that FERC will not do its job and protect consumers and businesses in the West.

It is my hope that FERC will reconsider its opposition to price caps or cost-based rates. Price caps or cost-based rates may be the only way to prevent the further transfer of wealth from the Western region to energy suppliers.

By Mr. BROWNBACK (for himself,  
Mr. REID, Mr. LUGAR, and  
Mr. DEWINE):

S. 765. A bill to amend the Internal Revenue Code of 1986 to provide a carbon sequestration investment tax credit, and for other purposes; to the Committee on Finance.

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

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

S. 765

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Carbon Sequestration Investment Tax Credit Act".

**SEC. 2. CARBON SEQUESTRATION INVESTMENT TAX CREDIT.**

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business-related credits) is amended by adding at the end the following new section:

**“SEC. 45E. CARBON SEQUESTRATION INVESTMENT CREDIT.**

**“(a) ALLOWANCE OF CREDIT.—**

**“(1) IN GENERAL.—**For purposes of section 38, in the case of an eligible taxpayer's investment in a carbon sequestration project approved by the implementing panel under section 2 of the International Carbon Conservation Act, the carbon sequestration investment credit determined under this section for the taxable year is an amount equal to—

**“(A) \$2.50, multiplied by**

**“(B) the number of tons of carbon the implementing panel determines was sequestered in such project during the calendar year ending with or within such taxable year, multiplied by**

**“(C) the percentage of the total investment in such project which is represented by the investment in such project which is attributable, directly or indirectly, to the eligible taxpayer, as determined by the implementing panel.**

**“(2) AGGREGATE DOLLAR LIMITATION.—**The credit determined under paragraph (1) for any taxable year, when added to any credit allowed to the eligible taxpayer with respect to the such project in any preceding taxable year, shall not exceed 50 percent of the investment attributable to the eligible taxpayer with respect to such project through such taxable year.

**“(b) ANNUAL LIMITATION ON AGGREGATE CREDIT ALLOWABLE.—**

**“(1) IN GENERAL.—**The amount of the carbon sequestration investment credit determined under subsection (a) for any taxable year, when added to all such credits allowed to all eligible taxpayers with respect to the such project for such taxable year shall not exceed the credit dollar amount allocated to such project under this subsection by the implementing panel for the calendar year ending with or within such taxable year.

**“(2) TIME FOR MAKING ALLOCATION.—**An allocation shall be taken into account under paragraph (1) only if it is made not later than the close of the calendar year in which the carbon sequestration project proposal with respect to such project is approved by the implementing panel under section 2 of the International Carbon Conservation Act.

**“(3) AGGREGATE CREDIT DOLLAR AMOUNT.—**The aggregate credit dollar amount which the implementing panel may allocate for any calendar year is equal to \$200,000,000.

**“(e) ELIGIBLE TAXPAYER; IMPLEMENTING PANEL.—**For purposes of this section—

**“(1) ELIGIBLE TAXPAYER.—**A taxpayer is eligible for the credit under this section with respect to a carbon sequestration project if such taxpayer has not elected the application of sections 3 and 4 of the International Carbon Conservation Act with respect to such project.

**“(2) IMPLEMENTING PANEL.—**The term ‘implementing panel’ means the implementing panel established under section 2 of such Act.

**“(f) RECAPTURE OF CREDIT IN CERTAIN CASES.—**

**“(1) IN GENERAL.—**If, at any time during the 30-year period of a carbon sequestration project, there is a recapture event with respect to such project, then the tax imposed by this chapter for the taxable year in which such event occurs shall be increased by the credit recapture amount.

**“(2) CREDIT RECAPTURE AMOUNT.—**For purposes of paragraph (1)—

**“(A) IN GENERAL.—**The credit recapture amount is an amount equal to the recapture percentage of all carbon sequestration investment credits previously allowable to an eligible taxpayer with respect to any investment in such project that is attributable to such taxpayer.

**“(B) RECAPTURE PERCENTAGE.—**The recapture percentage shall be 100 percent if the recapture event occurs during the first 10 years of the project, 66⅔ percent if the recapture event occurs during the second 10 years of the project, 33⅓ percent if the recapture event occurs during the third 10 years of the project, and 0 percent if the recapture event occurs at any time after the 30th year of the project.

**“(3) RECAPTURE EVENT.—**For purposes of paragraph (1), there is a recapture event with respect to a carbon sequestration project if—

**“(A) the eligible taxpayer violates a term or condition of the approval of the project by the implementing panel at any time,**

**“(B) the eligible taxpayer adopts a practice which the implementing panel has specified in its approval of the project as a practice which would tend to defeat the purposes of the carbon sequestration program, or**

**“(C) the eligible taxpayer disposes of any ownership interest arising out of its investment that the implementing panel has determined is attributable to the project, unless the implementing panel determines that such disposition will not have any adverse effect on the carbon sequestration project.**

If an event which otherwise would be a recapture event is outside the control of the eligible taxpayer, as determined by the implementing panel, such event shall not be treated as a recapture event with respect to such taxpayer.

**“(4) SPECIAL RULES.—**

**“(A) TAX BENEFIT RULE.—**The tax for the taxable year shall be increased under paragraph (1) only with respect to credits allowed by reason of this section which were used to reduce tax liability. In the case of credits not so used to reduce tax liability, the carryforwards and carrybacks under section 39 shall be appropriately adjusted.

**“(B) NO CREDITS AGAINST TAX.—**Any increase in tax under this subsection shall not be treated as a tax imposed by this chapter for purposes of determining the amount of any credit under this chapter or for purposes of section 55.

**“(g) DISALLOWANCE OF DOUBLE BENEFIT.—**

**“(1) BASIS REDUCTION.—**The basis of any investment in a carbon sequestration project shall be reduced by the amount of any credit determined under this section with respect to such investment.

**“(2) CHARITABLE DEDUCTION DISALLOWED.—**No deduction shall be allowed to an eligible taxpayer under section 170 with respect to any contribution which the implementing panel certifies pursuant to section 2 of the International Carbon Conservation Act to the Secretary constitutes an investment in a carbon sequestration project that is attributable to such taxpayer.

**“(h) CERTIFICATION TO SECRETARY.—**The implementing panel shall certify to the Secretary before January 31 of each year with respect to each eligible taxpayer which has made an investment in a carbon sequestration project—

**“(1) the amount of the carbon sequestration investment credit allowable to such taxpayer for the preceding calendar year,**

**“(2) whether a recapture event occurred with respect to such taxpayer during the preceding calendar year, and**

**“(3) the credit recapture amount, if any, with respect to such taxpayer for the preceding calendar year.**

**“(i) REGULATIONS.—**The Secretary shall prescribe such regulations as may be appro-

priate to carry out this section, including regulations—

**“(1) which limit the credit for investments which are directly or indirectly subsidized by other Federal benefits,**

**“(2) which prevent the abuse of the provisions of this section through the use of related parties, and**

**“(3) which impose appropriate reporting requirements.”.**

**(b) CREDIT MADE PART OF GENERAL BUSINESS CREDIT.—**

**(1) IN GENERAL.—**Subsection (b) of section 38 of the Internal Revenue Code of 1986 is amended by striking “plus” at the end of paragraph (12), by striking the period at the end of paragraph (13) and inserting “, plus”, and by adding at the end the following new paragraph:

**“(14) the carbon sequestration investment credit determined under section 45E(a).”.**

**(2) LIMITATION ON CARRYBACK.—**Subsection (d) of section 39 of such Code is amended by adding at the end the following new paragraph:

**“(10) NO CARRYBACK OF CARBON SEQUESTRATION INVESTMENT CREDIT BEFORE JANUARY 1, 2002.—**No portion of the unused business credit for any taxable year which is attributable to the credit under section 45E may be carried back to a taxable year ending before January 1, 2002.”.

**(c) DEDUCTION FOR UNUSED CREDIT.—**Subsection (c) of section 196 of the Internal Revenue Code of 1986 is amended by striking “and” at the end of paragraph (7), by striking the period at the end of paragraph (8) and inserting “, and”, and by adding at the end the following new paragraph:

**“(9) the carbon sequestration investment credit determined under section 45E(a).”.**

**(d) CLERICAL AMENDMENT.—**The table of sections for subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 45E. Carbon sequestration investment credit.”.

**(e) EFFECTIVE DATE.—**The amendments made by this section shall apply to investments made after December 31, 2001.

By Mr. HUTCHINSON:

S. 766. A bill to impose notification and reporting requirements in connection with grants of waivers of the limitation on certain procurements of the Department of Defense that is known as the Berry amendment, and for other purposes; to the Committee on Armed Services

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the bill I am introducing today be printed in the RECORD.

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

S. 766

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

**SECTION 1. NOTIFICATION AND REPORTING REQUIREMENTS REGARDING WAIVER OF THE BERRY AMENDMENT LIMITATION.**

**(a) ANNUAL REPORT.—**(1) After the end of each fiscal year, the Secretary of Defense shall submit to Congress a report on the waivers of the limitation on use of funds set forth in section 9005 of Public Law 102-396 (popularly known as the “Berry amendment”) that were granted under any provision of law during that fiscal year for procurements made by the Defense Logistics Agency for the military departments.

(2) The report for a fiscal year shall include the following:

- (A) The number of waivers.
- (B) For each waiver—
  - (i) the reasons for the waiver;
  - (ii) the date of the notification of the military department concerned under subsection (b); and
  - (iii) a description of the items procured pursuant to the waiver, together with the amount of the procurement.

(C) The number of instances in which the Secretary of Defense waived the notification requirement under subsection (b).

(b) NOTIFICATION.—(1) Not later than 14 days before granting a waiver of the limitation referred to in subsection (a)(1) for a procurement to be made by the Defense Logistics Agency for a military department, the Secretary of Defense shall transmit to the Secretary of the military department a notification of the determination to waive the limitation.

(2) The Secretary of Defense may waive the applicability of the notification requirement under paragraph (1) in any case in which the Secretary determines that a delay of the procurement to satisfy the requirement is not consistent with a need to expedite the procurement in the national security interests of the United States.

(c) SYSTEM FOR DATA COLLECTION.—The Secretary of Defense shall establish a system for—

(1) monitoring the granting of waivers of the limitation referred to in subsection (a)(1); and

(2) recording the waivers and the reasons for the waivers.

(d) DEFINITION.—In this section, the term “waiver”, with respect to the limitation referred to in subsection (a)(1), means a determination authorized under section 9005 of Public Law 102-396 that a particular procurement is covered by an exception provided in that section.

By Mr. REED (for himself, Mr. CORZINE, Mr. KENNEDY, Mrs. CLINTON, Mr. DURBIN, Mrs. FEINSTEIN, Mr. LEVIN, Mr. TORRICELLI, Mr. KERRY, Mr. CHAFEE, Mrs. BOXER, Mr. SCHUMER, Ms. MIKULSKI, Mr. WELLSTONE, Mr. GRAHAM, Mr. INOUE, Mr. CARPER, Mr. WYDEN, Mr. SARBANES, Mr. AKAKA, and Mr. HOLLINGS):

S. 767. A bill to extend the Brady background checks to gun shows, and for other purposes; to the Committee on the Judiciary.

Mr. REED. Mr. President, I rise to introduce the Gun Show Background Check Act of 2001. Along with twenty of my colleagues, I am offering this legislation to renew the process of bringing some sense to our nation's gun laws by closing a loophole that has allowed criminals to buy firearms at gun shows for far too long.

The Bureau of Alcohol, Tobacco and Firearms reported to Congress last year that gun shows are a major gun trafficking channel responsible for more than 26,000 illegal firearms sales during an 18-month period. The FBI and ATF tell us again and again that convicted felons, domestic abusers, and other prohibited purchasers are taking advantage of the gun show loophole to acquire firearms.

Two years ago, after Eric Harris and Dylan Klebold killed 13 people at Col-

umbine High School with weapons purchased from a private seller at a gun show, the United States Senate passed the Lautenberg amendment to close the gun show loophole. The legislation I am introducing today is identical to that Senate-passed amendment.

Under federal law, Federal Firearms Licensees are required to maintain careful records of their sales, and under the Brady Act, to check a purchaser's background with the National Instant Criminal Background Check System before transferring any firearm. However, a person does not need a federal firearms license, and the Brady Act does not apply, if the person is not “engaged in the business” of selling firearms pursuant to federal law. These nonlicensees make up one quarter or more of the sellers of firearms at thousands of gun shows in America each year. Consequently, felons and other prohibited persons who want to avoid Brady Act checks and records of their purchases buy firearms at gun shows.

My legislation incorporates recommendations made by the Department of Justice and the Department of the Treasury in their 1999 report on gun shows. The legislation would take several steps to make gun show transactions safer for all Americans:

Definition of gun shows: Gun shows are defined to include any event at which 50 or more firearms are offered or exhibited for sale. This definition includes not only those events where firearms are the main commodity sold, but also other events where a significant number of guns are sold, such as flea markets or swap meets.

Gun show promoters: Gun show promoters would be required to register with the Bureau of Alcohol, Tobacco, and Firearms, maintain a list of vendors at all gun shows, and ensure that all vendors acknowledge receipt of information about their legal obligations.

Background checks for all transactions: The bill requires that all firearms sales at gun shows go through a Federal Firearms Licensee. If a non-licensed person is selling a weapon, they would use an FFL at the gun show to complete the transaction. The FFL would be responsible for conducting a Brady check on the purchaser and maintaining records of the transactions.

Improved firearm tracing: FFLs would be required to submit information necessary to trace all firearms transferred at gun shows to the ATF's National Tracing Center, including the manufacturer/importer, model, and serial number of the firearms. However, no personal information about either the seller or the purchaser would be given to the government. Instead, as under current law, FFLs would maintain this information in their files. The NTC would request this information from an FFL only in the event that a firearm subsequently becomes the subject of a law enforcement trace request.

Some will say that this legislation is an attempt to end gun shows, but the experience of states that have closed the gun show loophole proves otherwise. California, for example, requires not only background checks at gun shows but a 10-day waiting period for all gun sales, yet gun shows continue to thrive there. No, we're not trying to end gun shows. What we are trying to end is the free pass we're giving to convicted felons when they can walk into a gun show, find a private dealer, buy whatever weapons they want and walk out without a Brady background check.

In overwhelming numbers, the American people believe that background checks should be required for all gun show sales. The people of Colorado and Oregon confirmed this last fall when they approved ballot initiatives to close the gun show loophole. I urge my colleagues to support the Gun Show Background Check Act of 2001 so that we can finally close this loophole in every state and make sure that convicted felons, domestic abusers, and other prohibited persons do not use gun shows to purchase firearms without a Brady background check.

By Mr. WARNER:

S. 768. A bill to amend section 8339(p) of title 5, United States Code, to clarify the method for computing certain annuities under the Civil Service Retirement System which are based (in whole or in part) on part-time service, and for other purposes, to the Committee on Governmental Affairs.

Mr. WARNER. Mr. President, I am pleased to join my colleague in the House of Representatives, Congressman JIM MORAN, in introducing legislation to correct an error in the retirement benefits calculation for certain part-time federal employees.

In 1986, Congress passed legislation to reform the retirement system for the federal workforce, establishing the Federal Employees Retirement System to replace the Civil Service Retirement System.

Provisions in this legislation also revised the formula used to determine retirement benefits for employees with full time and part time service in the federal government. Congress did not intend this change to impact the existing workers who remained under the Civil Service Retirement System.

Implementation of the provision, however, was misinterpreted by the Office of Personnel Management. Affected employees are losing hundreds, and in some cases thousands, of dollars every year of the retirement benefits they earned.

Many employees only became aware as they were about to retire that they would not receive all of the benefits they were expecting. The impacted federal workers had full-time service before 1986, and changed to part-time service for the end of their civil service career. Often these employees cut back their hours to care for their families,

or even delayed retirement and worked part-time to help an office during a transition period.

The revised retirement formula calculates benefits for a federal part-time worker based on a full-time equivalent basis which is scaled accordingly. Benefits are based on a worker's high-three average salary during his or her career. This could occur during an employee's part-time service.

Civil service employees with pre-1986 full-time work and some part-time work after 1986 do not receive the proper credit for their full-time work, however, because full-time and part-time work are broken into two parts. The full-time equivalent pay for the high-three years should apply to an employee's entire career. Instead, for the affected employees, their pre-1986 full-time benefits are based on actual salary. This two-step approach undervalues the worker's full-time service.

The bill I am introducing today will correct this error by allowing an employee's full-time equivalent salary for their high-three years apply to their entire careers, including pre-1986 service.

I encourage my colleagues to support this legislation and these federal employees for their dedicated service by ensuring they receive the retirement benefits they have earned.

I ask consent that the text of the bill be printed in the RECORD.

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

S. 768

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

**SECTION 1. COMPUTATION OF CERTAIN ANNUITIES BASED ON PART-TIME SERVICE.**

Section 8339(p) of title 5, United States Code, is amended by adding at the end the following:

“(3) In the administration of paragraph (1)—

“(A) subparagraph (A) of such paragraph shall apply with respect to any service performed on a part-time basis before, on, or after April 7, 1986;

“(B) subparagraph (B) of such paragraph shall apply with respect to all service performed on or after April 7, 1986 (whether on a part-time basis or otherwise); and

“(C) any service performed on a part-time basis before April 7, 1986, shall be credited as service performed on a full-time basis.”.

**SEC. 2. APPLICABILITY.**

(a) IN GENERAL.—Except as provided in subsection (b), the amendment made by this Act shall apply only with respect to an annuity entitlement that is based on a separation occurring on or after the date of enactment of this Act.

(b) RECOMPUTATION OF CERTAIN ANNUITIES.—

(1) IN GENERAL.—In the case of any individual who—

(A) before April 7, 1986, performed any service creditable under subchapter III of chapter 83 of title 5, United States Code, and

(B) was separated from the service on or after April 7, 1986, and before the date of enactment of this Act,

any annuity under subchapter III of chapter 83 of title 5, United States Code (or under

chapter 84 of that title, to the extent of any portion of such annuity which is computed under subchapter III of such chapter 83) based on the service of such individual shall be recomputed to take into account the amendment made by this Act, if application therefor is made within 18 months after the date of enactment of this Act.

(2) AMOUNTS TO WHICH APPLICABLE.—Any change in an annuity resulting from a recomputation under paragraph (1) shall be effective with respect to amounts accruing for months beginning after the date on which application for such recomputation is made.

(c) NOTICE REQUIREMENT.—

(1) IN GENERAL.—The Office of Personnel Management shall take such action as may be necessary and appropriate to inform individuals entitled to have any annuity recomputed under subsection (b) of their entitlement to such recomputation.

(2) ASSISTANCE.—The Office shall, on request, assist any individual referred to in paragraph (1) in obtaining from any department, agency, or other instrumentality of the United States such information in the possession of such instrumentality as may be necessary—

(A) to verify the entitlement of such individual to have an annuity recomputed under subsection (b); or

(B) to carry out any such recomputation.

(3) INFORMATION.—Any department, agency, or other instrumentality of the United States which possesses any information with respect to part-time service performed by an individual shall, at the request of the Office, furnish such information to the Office.

By Mr. BROWBACK (for himself, Mr. REID, Mr. LUGAR, and Mr. DEWINE):

S. 769. A bill to establish a carbon sequestration program and an implementing panel within the Department of Commerce to enhance international conservation, to promote the role of carbon sequestration as a means of slowing the buildup of greenhouse gases in the atmosphere, and to reward and encourage voluntary, pro-active environmental efforts on the issue of global climate change; to the Committee on Agriculture, Nutrition, and Forestry.

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

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

S. 769

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “International Carbon Conservation Act”.

**SEC. 2. CARBON SEQUESTRATION PROGRAM.**

(a) CARBON SEQUESTRATION PROGRAM.—Within 180 days after the date of the enactment of this Act, the implementing panel shall establish a carbon sequestration program to permit project sponsors to make carbon sequestration project proposals to the implementing panel.

(b) IMPLEMENTING PANEL.—There is established within the National Institute of Standards and Technology of the Department of Commerce an implementing panel consisting of—

(1) the Director of the National Institute of Standards and Technology,

(2) the Secretary of Agriculture,

(3) the Secretary of State,

(4) the Secretary of Energy,

(5) the Chief of the Forest Service, and

(6) representatives of nongovernmental organizations who have an expertise and experience in carbon sequestration practices, appointed by the Secretary of Agriculture.

The Chief of the Forest Service shall act as chairperson of the implementing panel.

(c) CARBON SEQUESTRATION PROJECT.—For purposes of this section—

(1) IN GENERAL.—The term “carbon sequestration project” means a project—

(A) which is located outside the United States,

(B) the duration of which is not less than 30 years,

(C) which is designed to increase the sequestration of carbon, and

(D) which is accepted by the implementing panel under the carbon sequestration program.

(2) ACCEPTANCE OF PROJECT PROPOSALS.—

(A) IN GENERAL.—Under the carbon sequestration program, the implementing panel shall accept a proposal for a carbon sequestration project from a project sponsor only if—

(i) the proposal includes a needs assessment described in subparagraph (B),

(ii) the proposal identifies the benefits of carbon sequestration practices of the sponsored project under criteria developed to evaluate such benefits under subsection (d) and under guidelines instituted to quantify such benefits under subsection (e) and includes an agreement by the sponsor to carry out such practices as described in subparagraph (C), and

(iii) the proposal includes an agreement to provide verification of compliance with an approved project as described in subparagraph (D) under standards established under subsection (f).

(B) NEEDS ASSESSMENT.—A needs assessment described in this subparagraph is an assessment of the need for the carbon sequestration project described in a proposal and the ability of the project sponsor to carry out the carbon sequestration practices related to such project. The assessment shall be developed by the project sponsor, in cooperation with the Agency for International Development, nongovernmental organizations, and independent third-party verifiers.

(C) CARBON SEQUESTRATION PRACTICES.—Under a carbon sequestration project proposal, the project sponsor shall agree to contract with other entities, including organizations based in the country in which the sponsored carbon sequestration project is located, to carry out carbon sequestration practices proposed by the project sponsor which (as determined by the implementing panel)—

(i) provide for additional carbon sequestration beyond that which would be provided in the absence of such project, and

(ii) contribute to a positive reduction of greenhouse gases in the atmosphere through carbon sequestration over at least a 30-year period.

(D) VERIFICATION OF COMPLIANCE WITH APPROVED CARBON SEQUESTRATION PROJECT.—Under a carbon sequestration project proposal, the project sponsor shall agree to provide the implementing panel with verification through a third party that such project is sequestering carbon in accordance with the proposal approved by the implementing panel, including an annual audit of the project, an actual verification of the practices at the project site every 5 years, and such random inspections as are necessary.

(d) CRITERIA FOR EVALUATING BENEFITS OF CARBON SEQUESTRATION PRACTICES.—

(1) IN GENERAL.—Under the carbon sequestration program the Chief of the Forest Service, in consultation with other members of the implementing panel, shall develop criteria for prioritizing, determining the acceptability of, and evaluating, the benefits of the carbon sequestration practices proposed in projects for the purpose of determining the acceptability of project proposals.

(2) CONTENT.—The criteria shall ensure that carbon sequestration investment credits under section 45E of the Internal Revenue Code of 1986 are not allocated to projects the primary purpose of which is to grow timber for commercial harvest or to projects which replace native ecological systems with commercial timber plantations. Projects should be prioritized according to—

(A) native forest preservation, especially with respect to land which would otherwise cease to be native forest land,

(B) reforestation of former forest land where such land has not been forested for at least 10 years,

(C) biodiversity enhancement,

(D) the prevention of greenhouse gas emissions through the preservation of carbon storing plants and trees,

(E) soil erosion management,

(F) soil fertility restoration, and

(G) the duration of the project, including any project under which other entities are engaged to extend the duration of the project beyond the minimum carbon sequestration project term.

(e) GUIDELINES FOR QUANTIFYING BENEFITS.—

(1) IN GENERAL.—Under the carbon sequestration program, the Chief of the Forest Service, in consultation with other members of the implementing panel, shall institute guidelines for the development of methodologies for quantifying the amount of carbon sequestered by particular projects for the purposes of determining the acceptability of project proposals. These guidelines should set standards for project sponsors with regard to—

(A) methodologies for measuring the carbon sequestered,

(B) measures to assure the duration of projects sponsored,

(C) criteria that verifies that the carbon sequestered is additional to the sequestration which would have occurred without the sponsored project,

(D) reasonable criteria to evaluate the extent to which the project displaces activity that causes deforestation in another location, and

(E) the extent to which the project promotes sustainable development in a project area, particularly with regard to protecting the traditional land tenure of indigenous people.

(2) BASIS.—In developing the guidelines, the Chief of the Forest Service shall—

(A) consult with land grant universities and entities which specialize in carbon storage verification and measurement, and

(B) use information reported to the Secretary of Energy from projects carried out under the voluntary reporting program of the Energy Information Administration under section 1605 of the Energy Policy Act of 1992 (42 U.S.C. 13385).

(f) VERIFICATION STANDARDS.—Under the carbon sequestration program, the Director of the National Institute of Standards and Technology, in consultation with other members of the implementing panel and the National Science Foundation, shall establish verification standards for purposes of subsection (c)(2)(D).

(g) PROGRAM REPORTING.—The Administrator of the Energy Information Administration, in consultation with the Secretary of Agriculture, shall develop forms to mon-

itor carbon sequestration improvements made as a result of the program established under this section and the implementing panel shall use such forms to report to the Administrator on—

(1) carbon sequestration improvements made as a result of the program,

(2) carbon sequestration practices of project sponsors enrolled in the program, and

(3) compliance with the terms of the implementing panel's approval of projects.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as are necessary to carry out the program established under subsection (a).

#### SEC. 3. EXPORT-IMPORT BANK FINANCING.

An owner or operator of property that is located outside of the United States and that is used in a carbon sequestration project approved by the implementing panel under section 2 may enter into a contract for an extension of credit from the Export-Import Bank of the United States of up to 75 percent of the cost of carrying out the carbon sequestration practices specified in the carbon sequestration project proposal to the extent that the Export-Import Bank determines that the cost sharing is appropriate, in the public interest, and otherwise meets the requirements of the Export-Import Bank Act of 1945.

#### SEC. 4. EQUITY INVESTMENT INSURANCE.

An owner or operator of property that is located outside of the United States and that is used in a carbon sequestration project approved by the implementing panel under section 2 may enter into a contract for investment insurance issued by the Overseas Private Investment Corporation pursuant to section 234 of the Foreign Assistance Act of 1961 (22 U.S.C. 2194) if the Corporation determines that issuance of the insurance is consistent with the provisions of such section 234.

By Mr. LEVIN (for himself and Mr. JEFFORDS):

S. 770. A bill to amend part A of title IV of the Social Security Act to allow up to 24 months of vocational educational training to be counted as a work activity under the temporary assistance to needy families program; to the Committee on Finance.

Mr. LEVIN. Mr. President, I am pleased to be joined by Senator JEFFORDS, Chairman of the Health, Education, Labor, and Pensions Committee in introducing legislation that seeks to add an important measure of flexibility to a provision of the Temporary Assistance for Needy Families program, TANF, under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The legislation we are introducing increases from 12 to 24 months the limit on the amount of vocational education training that a state can count towards meeting its work participation rate.

Under the pre-1996 Aid to Families with Dependent Children program, recipients could participate in post-secondary vocational training or community college programs for up to 24 months. While I support the new law's emphasis on moving welfare recipients more quickly into jobs, I am troubled by the law's restriction on post-secondary education training, limiting it to 12 months. One year of vocational education is an approved work activ-

ity, the second year of post-secondary education study is not.

The limitation on post-secondary education training raises a number of concerns, not the least of which is whether individuals may be forced into low-paying, short-term employment that will lead them back onto public assistance because they are unable to support themselves or their families. According to recent studies, this is exactly what has happened in far too many cases. According to a March 13, 2001 report of the Congressional Research Service, which is based on research published in the 2000 Edition of the House Committee on Ways and Means Green Book, although the majority of recipients who have left the welfare rolls left because they became employed, most remained poor. The research also revealed that the average hourly wage for these former welfare recipients ranged from \$5.50 to \$8.80 per hour.

Study after study indicates that short-term training programs raise the income of workers only marginally, while completion of at least a two-year associate degree has the potential of breaking the cycle of poverty for welfare recipients. According to the U.S. Census Bureau, the median earnings of adults with an associate degree are 30 percent higher than adults who have not achieved such a degree.

A majority of the members of the Senate has previously cast their vote in favor of making 24 months of post-secondary education a permissible work activity under TANF. The Levin-Jeffords amendment to the 1997 Reconciliation bill, permitting up to 24 months of post-secondary education, received 55 votes—falling five votes short of the required procedural vote of 60. The amendment had the support of the National Governors Association, NGA, and NGA's support continues with the legislation Senator JEFFORDS and I are introducing today. I would also like to make note of Senator WELLSTONE's efforts on this issue. He subsequently proposed several modifications to TANF, including raising the 12 month limit to 24 months, in an amendment to the 1998 Higher Education reauthorization bill. The amendment passed the Senate but was deleted during conference negotiations.

It is my hope that the Senate will again act favorably and expeditiously on this legislation and that the House will support this much-needed State flexibility. We must do what is necessary to achieve TANF's intended goal of getting families permanently off of welfare and onto self-sufficiency.

In closing, I would like to present to my colleagues some examples of the earnings that can be made upon completion of two years of training in a structured vocational or community college program. The following are jobs that an individual could prepare for in a two-year community college program, including the average starting salary for each nationwide.

*Average Starting Salary Nationwide*

Dental Hygiene .....	\$31,750
Physical Therapy Assistant .....	28,782
Computer Programming .....	28,000
Occupational Therapy Assistant .....	27,624
Respiratory Therapy .....	26,877
Computer Assisted Design .....	26,890
Drafting and Design .....	24,800
Electronic Technology .....	24,255
Culinary Arts .....	22,500
Early Childhood Development As-	
sistant .....	18,000

Again, I urge my colleagues to act with haste. The modification embodied in this legislation can give the states the flexibility they need to help improve the economic status of families across America.

By Mr. WARNER (for himself and Mr. ALLEN):

S.J. Res. 13. A joint resolution conferring honorary citizenship of the United States on Paul Yves Roch Gilbert du Motier, also known as the Marquis de Lafayette; to the Committee on the Judiciary.

Mr. WARNER. Mr. President, I rise today to introduce a bill that will make General Lafayette an honorary United States Citizen. This honor has been bestowed on four other individuals including Winston Churchill and Mother Teresa.

Marie Joseph Paul Yves Roch Gilbert du Motier, Marquis de La Fayette (1757–1834) was born in France and was a wealthy French youth blessed with every advantage offered by Europe's aristocracy. Although he was wealthy and among France's aristocracy, he risked his wealth and status to aid the Americans in their revolution against Great Britain.

At the age of 19, determined to dedicate himself to the cause of our liberty, he bought a ship and sailed to the American colonies to volunteer his services. In early summer of 1777, soon after his arrival, Congress voted him the rank and commission of Major General. Just two months later, Lafayette was wounded at the battle of Brandywine, forever endearing himself to the American soldiers.

Throughout the American Revolution, Lafayette acted as a liaison between France and the American colonies. He urged influential policy makers to have France make the decisive military, naval and financial commitment to the colonists. His tireless efforts, both as a liaison and a general, aided America in her time of need.

As a general, his military tactics lured British General Cornwallis and his army to Yorktown, Virginia. The American Army, led by General Washington, along with French forces led by Rochambeau, came south and trapped Cornwallis and his troops at Yorktown. As a result, the British were forced to surrender.

Lafayette's services to America extended beyond the battlefield. He worked diligently as an advisor, helping win concessions from Britain during the Treaty negotiations. At Versailles, when negotiating with the

French government, our representatives Franklin and Jefferson found him invaluable. Moreover, his impartial friendship was extended to the first eight U.S. presidents.

Despite his commitment to our Country, America did not recognize his United States' citizenship in his time of need. While crossing the French border into the Netherlands to escape arrest from the Revolutionary French Government, the Austrians captured and arrested General Lafayette. Despite his claim that he was an American citizen being illegally detained, the Austrians disagreed. General Lafayette appealed to American ministers for help, but his calls for intervention were not answered. Lafayette clearly felt that he was an America citizen, and technically he may have been under the blanket naturalization granted all citizens of each state when the Constitution was ratified. The U.S. government, however, failed to acknowledge his claim, and he spent the next five years in prison.

Although General Lafayette was made an honorary citizen by Virginia and Maryland before the United States Constitution was ratified, the United States failed to recognize his citizenship while he was imprisoned. I feel that we must set the record straight and honor General Lafayette for his commitment to the United States by making him an honorary United States citizen. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

## S. J. RES. 13

Whereas the United States has conferred honorary citizenship on four other occasions in more than 200 years of its independence, and honorary citizenship is and should remain an extraordinary honor not lightly conferred nor frequently granted;

Whereas Paul Yves Roch Gilbert du Motier, also known as the Marquis de Lafayette or General Lafayette, voluntarily put forth his own money and risked his life for the freedom of Americans;

Whereas the Marquis de Lafayette, by an Act of Congress, was voted to the rank of Major General;

Whereas, during the Revolutionary War, General Lafayette was wounded at the Battle of Brandywine, demonstrating bravery that forever endeared him to the American soldiers;

Whereas the Marquis de Lafayette secured the help of France to aid the United States' colonists against Great Britain;

Whereas the Marquis de Lafayette was conferred the honor of honorary citizenship by the Commonwealth of Virginia and the State of Maryland;

Whereas the Marquis de Lafayette was the first foreign dignitary to address Congress, which honor was accorded him upon his return to the United States in 1824;

Whereas, upon his death, both the House of Representatives and the Senate draped their chambers in black as a demonstration of respect and gratitude for his contribution to the independence of the United States;

Whereas an American flag has flown over his grave in France since his death and has not been removed, even while France occu-

pied by Nazi Germany during World War II; and

Whereas the Marquis de Lafayette gave aid to the United States in time need and is forever a symbol of freedom: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That Paul Yves Roch Gilbert du Motier, also known as the Marquis de Lafayette, is proclaimed to be an honorary citizen of the United States of America.

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 72—DESIGNATING THE MONTH OF APRIL AS “NATIONAL SEXUAL ASSAULT AWARENESS MONTH”

Mr. SPECTER (for himself, Mrs. BOXER, Mr. CRAPO, Mrs. MURRAY, Mr. JEFFORDS, Mr. AKAKA, Mr. GREGG, Mr. DODD, Ms. SNOWE, Mr. BIDEN, Mr. INHOFE, Mr. REID, Mr. TORRICELLI, Mr. FEINGOLD, Mr. KERRY, Mr. GRAHAM, Mr. BINGAMAN, Ms. MIKULSKI, Ms. LANDRIEU, Ms. STABENOW, Mr. DASCHLE, Mr. LEVIN, Mr. BAUCUS, Mrs. CLINTON, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. SARBANES, Mr. JOHNSON, Mr. CORZINE, Mr. LIEBERMAN, Mr. WELLSTONE, Mr. KENNEDY, and Mr. BAYH) submitted the following resolution; which was referred to the Committee on the Judiciary.

## S. RES. 72

Whereas non-stranger and stranger rape and sexual assault affects women, children, and men of all racial, cultural, and economic backgrounds;

Whereas women, children, and men suffer multiple types of sexual violence;

Whereas the Department of Justice reports that a sexual assault occurs every 90 seconds;

Whereas it is estimated by the Bureau of Justice Statistics that over 70 percent of rapes are never reported to the police;

Whereas in addition to the immediate physical and emotional costs, sexual assault may also have associated consequences of post-traumatic stress disorder, substance abuse, major depression, homelessness, eating disorders, and suicide;

Whereas it is important to recognize the compassion and dedication of the individuals who provide services to survivors and work to increase the public understanding of this significant problem;

Whereas State coalitions and local rape crisis centers across the Nation are committed to increasing public awareness of sexual violence and its prevalence and to eliminating it through education;

Whereas important partnerships have been formed among criminal and juvenile justice agencies, allied professionals, and victim services;

Whereas the Centers for Disease Control and Prevention have identified sexual assault as a significant, costly, and preventable health issue; and

Whereas the United States Government has expressed a commitment to eliminating sexual violence in society with various legislative actions and appropriations, including the Violence Against Women Act, Grants to Combat Violence Against Women on Campus, and through projects of the Centers for Disease Control and Prevention: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the month of April 2001, as "National Sexual Assault Awareness Month";

(2) encourages individual and collective efforts that reflect the vision of a Nation where no sexual assault victim goes unserved or ever feels there is no path to justice and where citizens work toward eliminating all forms of sexual violence; and

(3) requests that the President of the United States issue a proclamation calling on the people of the United States and interested groups to observe "National Sexual Assault Awareness Month" with appropriate ceremonies, activities, and programs to reflect the commitment to eliminating sexual violence from society and to acknowledge the work of organizations and individuals against sexual violence.

SENATE CONCURRENT RESOLUTION 33—SUPPORTING A NATIONAL CHARTER SCHOOLS WEEK

Mr. GREGG (for himself and Mr. LIEBERMAN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 33

Whereas charter schools are public schools authorized by a designated public body and operating on the principles of accountability, parent flexibility, choice, and autonomy;

Whereas in exchange for the flexibility and autonomy given to charter schools, they are held accountable by their sponsors for improving student achievement and for their financial and other operations;

Whereas 36 States, the District of Columbia, and the Commonwealth of Puerto Rico have passed laws authorizing charter schools;

Whereas 35 States, the District of Columbia, and the Commonwealth of Puerto Rico will have received more than \$500,000,000 in grants from the Federal Government by the end of the current fiscal year for planning, startup, and implementation of charter schools since their authorization in 1994 under part C of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8061 et seq.);

Whereas 34 States, the District of Columbia, and the Commonwealth of Puerto Rico are serving approximately 550,000 students in more than 2,150 charter schools during the 2000 to 2001 school year;

Whereas charter schools can be vehicles both for improving student achievement for students who attend them and for stimulating change and improvement in all public schools and benefiting all public school students;

Whereas charter schools in many States serve significant numbers of low income, minority, and disabled students;

Whereas the Charter Schools Expansion Act of 1998 (Public Law 105-278) amended the Federal grant program for charter schools authorized by part C of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8061 et seq.) to strengthen accountability provisions at the Federal, State, and local levels to ensure that charter public schools are of high quality and are truly accountable to the public;

Whereas 7 of 10 charter schools report having a waiting list;

Whereas students in charter schools nationwide have similar demographic characteristics as students in all public schools;

Whereas charter schools have enjoyed broad bipartisan support from the Adminis-

tration, Congress, State governors and legislatures, educators, and parents across the Nation; and

Whereas charter schools are centers of reform and serve as models of how to educate children as effectively as possible: Now, therefore, be it

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

(1) acknowledges and commends the charter school movement for its contribution to improving student achievement and our Nation's public school system;

(2) designates the period beginning on April 30, 2001, and ending on May 4, 2001, as "National Charter Schools Week"; and

(3) requests that the President issue a proclamation calling on the people of the United States to observe the week by conducting appropriate programs, ceremonies, and activities to demonstrate support for charter schools in communities throughout the Nation.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, April 26, 2001 at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to consider national energy policy with respect to fuel specifications and infrastructure constraints and their impacts on energy supply and price.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SH-212 Hart Senate Office Building, Washington, D.C. 20510-6150.

For further information, please call Trici Heninger or Bryan Hannegan at (202) 224-4971.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 24, 2001, at 2:20 p.m., in executive session to consider certain pending nominations.

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

COMMITTEE ON ARMED SERVICES

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 24, 2001, at 3:30 p.m., in open session to consider the nominations of Dr. Dov S. Zakheim to be Under Secretary of Defense, comptroller; Mr. Charles S. Abell to be

Assistant Secretary of Defense for force management policy; and Ms. Victoria Clarke to be Assistant Secretary of Defense for Public Affairs.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, April 24, 2001, to conduct a hearing on the nomination of Mr. Grant D. Aldonas, of Virginia, to be Under Secretary of Commerce for International Trade; Mr. Kenneth I. Juster, of the District of Columbia, to be Under Secretary of Commerce for Export Administration; Ms. Maria Cino, of Virginia, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service; and Mr. Robert Glenn Hubbard, of New York, to be a member of the Council of Economic Advisors.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, April 24, 2001, to conduct a mark-up of S. 206, "The Public Utility Holding Company Act."

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

COMMITTEE ON FINANCE

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, April 24, 2001 to hear testimony on the Tax Code Complexity, New Hope for Fresh Solutions.

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

COMMITTEE ON SMALL BUSINESS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing entitled "Protecting Small Business Rights: SBREFA on Its 5th Anniversary" on Tuesday, April 24, 2001, beginning at 9:30 a.m. in room 428A of the Russell Senate Office Building.

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

SUBCOMMITTEE ON CONSUMER AFFAIRS, FOREIGN COMMITTEE AND TOURISM

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Affairs, Foreign Committee and Tourism of the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, April 24, 2001, at 10 a.m. on Booster Seats and the Forgotten Child: Closing a Safety Gap.

The presiding officer. Without objection, it is so ordered.

## SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space of the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, April 24, 2001, at 2:30 p.m. on NASA's Aeronautics Program.

The presiding officer. Without objection, it is so ordered.

## SUBCOMMITTEE ON PERSONNEL

Mr. BROWNBACK. Mr. President, I ask unanimous consent that Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 24, 2001, at 9:30 a.m., in open session to receive testimony on the recruiting initiatives of the Department of Defense and the Military Services and to receive an update on the status of recruiting and retention goals.

The presiding officer. Without objection, it is so ordered.

## PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Nicky Yuen and Jay Barth, both fellows in my office, be granted privileges of the floor.—

The presiding officer. Without objection, it is so ordered.

## REPRINTING OF "WOMEN IN CONGRESS, 1917-1990"

Mr. VOINOVICH. I ask unanimous consent the Rules Committee be discharged from further consideration of H. Con. Res. 66, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 66) authorizing the printing of a revised and updated version of the House document entitled "Women in Congress, 1917-1990."

There being no objection, the Senate proceeded to consider the House concurrent resolution.

Mr. VOINOVICH. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 66) was agreed to.

## ORDERS FOR WEDNESDAY, APRIL 25, 2001

Mr. VOINOVICH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Wednesday, April 25. I further ask consent that on Wednesday, immediately following the prayer, the Journal of

proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate begin a period of morning business until 11 a.m. with Senators speaking for up to 10 minutes each, with the following exceptions: Senator DURBIN or his designee from 9:30 to 10:15 a.m.; and Senator THOMAS or his designee from 10:15 to 11 a.m.

## PROGRAM

Mr. VOINOVICH. For the information of all Senators, it is hoped that the Senate can begin consideration of S. 1, the education bill, during tomorrow's session. An agreement on the bill is being negotiated, and we are hoping to begin consideration shortly after an agreement is reached. All Senators are encouraged to come to the floor tomorrow to participate in that debate. Votes are therefore possible during tomorrow's session.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. VOINOVICH. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:05 p.m., adjourned until Wednesday, April 25, 2001, at 9:30 a.m.