

S. 1, BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT

Mr. HATCH. Mr. President, I rise today to speak on the subject of education, a subject about which we have been hearing a good deal in the past several months.

I commend President Bush for putting forth a credible plan for education improvement. The Bush Administration has worked with colleagues on both sides of the aisle to craft a policy compromise which will go along way to securing that all children have access to quality education. I also commend the distinguished Chairman of the Health, Education, Labor and Pensions, HELP, Committee for his tireless work on this issue. As former chairman of the then Labor Committee, I know my friend from Vermont has a job roughly akin to herding cats.

I also appreciate the Majority Leader's diligence and persistence in continuing to bring this measure up for Senate consideration and his efforts at brokering a compromise.

President Bush has made it a priority to ensure that State and local education agencies have the discretion to make key decisions on how education dollars are spent. I support the President's approach. I have often said that we should not be second guessing on a federal level the ability of State and local school boards, educators and parents to direct the education of students.

President Bush has made it a priority to link a reduction in the ridiculous amount of red-tape that State and local education agencies face with real accountability measures.

Paperwork reduction is a decidedly pro-teacher priority, 80 percent of our nation's educators say that paperwork is their number one headache. Teachers just want to teach, not fill out forms or go to meetings required by federal regulations.

The President has made yearly testing a priority and I commend him for that. In my State of Utah, we have already begun implementing an annual test. The Utah Performance Assessment System for Students, U-PASS, requires a statewide criterion referenced test for all students, grades 1st through 12th in reading, language arts, and math. I am proud that, once again, Utah educators are ahead of the curve when it comes to education innovation and reform.

I sincerely hope that my colleagues on the other side of the aisle will not stall, delay or prevent the reauthorization of the Elementary and Secondary Education Act, or as it is now called, BEST, the Better Education for Students and Teachers Act. We really need to pass this bill and set the country on a path toward meaningful education progress.

The need for reform is great. A recent report from the National Center for Education Statistics, NAEP, concluded that reading scores for 4th and

12th graders failed to improve over their 1992 levels. This study also concluded that 58 percent of disadvantaged children in 4th grade scored at the "below basic" level.

There also is an alarming disparity in skills between white students and African American students. According to the National Center for Education Statistics, achievement gaps between white and African-American 9-year-old students have not narrowed since 1975. The score gap in reading narrowed to its lowest, 18 points in 1988, and has since widened to 29 points in 1999. For 17-year-old students, the gap in reading was also its lowest in 1988, 20 points and has since widened to 31 points in 1999.

Clearly, the challenge is before us. And yes, we can do better.

Many local school districts are struggling. They are struggling with class sizes that are too large and school buildings that are too small or dysfunctional. They are struggling to provide books, materials, and equipment that are appropriate for the 21st century.

They are struggling with resources, so they can pay their teachers better, increase professional development for educators, and provide essential music, art and sports opportunities for students as well. They are struggling with transportation needs, especially in many rural Utah communities where children can be bused as many as 100 miles round-trip a day.

There is not a Senator in this body who doesn't want to help solve these problems. Certainly, I have been a long-time advocate of federal support for education, and I will continue to make that a top priority.

I honestly believe that colleagues on both sides of the aisle sincerely and with good intentions want children to attend clean, safe schools with state of the art technology and teachers who are appreciated and well paid in reasonably sized classrooms and up-to-date textbooks.

Sometimes, when the rhetoric gets too hot around these deeply felt issues, I think it would behoove us all to remember that no one gets elected to serve as an anti-education Senator.

So, if we are all pro-education then why the debate? Because, of course, while we all agree on the merits of reform and we all want education progress, we disagree on the means to achieve this goal. We cannot afford to tie this bill up in partisan gridlock over a debate on how much funding to provide. Where there is a will, there is a way, and we simply have to find that way or we will be letting the American public down.

While there are good intentions on all sides, some of my colleagues honestly feel that education policy is best met at the federal level and that the answer to every education challenge is a new federal program. Others of us have markedly differing views.

I sincerely believe that State and local officials in Utah's 40 school dis-

tricts and 763 public schools are the best ones to decide whether or not to target federal money on school construction, technology improvements, hiring new teachers, or anything else.

I trust the people of Utah to make these decisions. And, I believe Utahns are perfectly capable of debating these issues locally and choosing a course.

I have repeatedly said that Utah does more with less than any State in the nation. Utah is a worst case scenario when it comes to school finance, yet we consistently rank highly on student performance measures. We must be doing something right!

Actually, I think we are doing a lot that is right, and one of the things that Utah parents do right is spend a lot of time with their children. An integral part of Utah's way of life involves family-centered activities. This clearly has spill-over benefits for schools.

Utah can claim some well-deserved bragging rights. For example:

Utah is first in the nation in both advanced placement participation and performance on a per capita basis.

Utah's dropout rates are substantially lower than the nation's as a whole.

In the Statewide Testing Program, the performance of Utah students on the Stanford Achievement Test exceeds national performance in mathematics, reading, science reasoning, and the composite score.

Since 1984, Utah high school graduates have taken increasingly more rigorous programs of study with substantial increases in such areas as mathematics and foreign language.

Utah is second in the nation in the percentage of its adult population holding a high school diploma.

Utah has made a number of important commitments to advancing technology in education.

Utah provides incentives for school districts to acquire technology infrastructure.

Utah installs Internet connections at every school and pays most of the line charges.

Utah has launched a number of professional development efforts.

Utah provides in-service training opportunities and requires pre-service teachers to complete a technology course as part of their preparation program.

Utah parents are educated and informed and take an active role in educating their children. I firmly believe that this is one of the reasons why Utah students perform so well.

But, what we need in my State is not a federal superintendent looking over the shoulder of our State-elected or locally elected school boards. We need additional resources, plain and simple. But, resources with so many strings attached bog us down. Give us the flexibility to manage these resources and apply them to the areas of greatest need in our State. Measure our children's educational progress. We will meet the challenge.

I look forward to a challenging and informative debate. It is my sincere hope that we will be successful in crafting legislation which will genuinely put children first. Children are America's greatest asset, and our future depends on their educational excellence. We must ensure that no child is left behind. We must ensure that the achievement gap is closed between disadvantaged children and their peers. We must ensure that every child in this country is prepared for the challenges and opportunities that await them in the years to come. For it we fail, we have failed not only ourselves, but future generations.

I am confident we are up to the task.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

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

Today, I would like to detail a heinous crime that occurred on November 6, 1998 in Seattle, Washington. A gay man was severely beaten with rocks and broken bottles in his neighborhood by a gang of youths shouting "faggot." The victim sustained a broken nose and swollen jaw. When he reported the incident to police two days later, the officer refused to take the report.

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.

#### VA CONTINUES TO LEAD THE NATION IN END-OF-LIFE CARE

Mr. ROCKEFELLER. Mr. President, I am committed to focusing a spotlight on the good work of the Department of Veterans Affairs, VA, in the area of long-term care. VA has hidden its light under a barrel for too long.

The federally funded VA health care system, out of necessity, has developed some of the most innovative ways to care for older people. The necessity arises because approximately 34 percent of the total veteran population is 65 years or older, compared with approximately 13 percent of the general population. And by the year 2010, 42 percent of the veteran population will be 65 years or older.

As a result of this demand, VA has led the nation in developing adult day health care programs, standardized clinical treatment protocols and specialized units for Alzheimer's patients, home-based services, and respite care. Our older veterans are leading richer lives because of these innovations.

Today, I wish to highlight the Alzheimer's unit at the Salem VA hospital, which has received extraordinary praise from the son of a veteran who was treated there for Alzheimer's.

I know firsthand how difficult it is to care for a loved one afflicted by Alzheimer's. The special needs of Alzheimer's patients are all too frequently misunderstood and therefore go unmet. It seems, however, that the VA is up to the challenge. The family members of this particular veteran found the care at the VA hospital to be first-rate, humane and loving. By all accounts, the veteran suffering from Alzheimer's was well cared for up until the very end.

To quote from the article, "His daily needs were met by the staff less from obligation or duty than from true, honest caring. His aimless wandering was confined behind secured doors, without restraints, thank goodness. Dad's sleepless nights and constant babbling were 'normal' there. The staff was unshaken by any of his peculiar behavior."

The Salem VA Alzheimer's unit is not one of a kind, thankfully. Approximately 56 VA hospitals have specialized programs for the care of veterans with dementia. These programs include inpatient and outpatient dementia diagnostic programs, behavior management programs, adapted work therapy programs for patients with early to mid-stage dementia, Alzheimer's special care units within VA nursing homes (like Salem's) and transitional care units, and model inpatient palliative care programs for patients with late stage dementia. There are also various programs for family caregivers.

While VA has developed significant expertise in long-term care over the past 20-plus years, it has not done so with any mandate to share its learning with others, nor has it pushed its program development beyond that which met the current needs at the time. For VA's expertise to be of greatest use to others, it needs both to better capture what it has done and to develop new learning that would be most applicable to other health care entities.

Those who would benefit by capitalizing on VA's long-term care expertise are the health organizations, including academic medicine and research entities, with which VA is now connected, and the rest of the U.S. health care system. Ultimately, this expertise can benefit all Americans who will need some form of long-term care services.

As Ranking Member of the Committee on Veterans' Affairs, I am enormously proud of VA's efforts in end-of-life care. However, I have always been dismayed that my colleagues here in the Senate remain for the most part unaware of VA's good work in this area. Those of us in the health policy arena should sit up and take notice. We simply must stay ahead of the curve and explore the various ways to provide such care, so all Americans will have the best choices available to them at the time they need them.

I ask consent that a Roanoke Times article on VA Alzheimer's care by Wayne Slusher, son of a veteran cared for at the Salem VA hospital, be printed in the RECORD along with a press release on VA's newest end-of-life care program, a fellowship in palliative care.

The material follows:

[From the Roanoke (VA) Times, Apr. 1, 2001]  
SUCUMBING TO ALZHEIMER'S—IN THE HANDS OF THE VA, A DECLINING FATHER GOT GENUINE CARE

(By Wayne Slusher)

It started out seemingly innocent enough. Wrong turns on familiar roads, daily tasks forgotten and numerous other little things not so significant as to send up red flags, but still enough that it registered in the back of the mind that something was not quite right.

In the years following, it got worse. Faucets left on, asking for dinner an hour after leaving the table, inability to use the phone, failing to recognize home, and on and on. It had happened.

"If anything ever happens to me," my father would say time and time again, "you take me to the VA." It was a frequent topic, since Dad was a deacon in his church and spent a great deal of time visiting with the sick and the elderly members in the community.

You spend your whole life hearing it, but reject the idea that you'll actually have to act on it, much less take him to the Veterans Affairs Medical Center so far from his home. Even well-intentioned friends asked, "Why the VA?"

But then, it had happened, and we decided that going to the VA for help was what he had always wanted. There was something so intrinsically important about honoring his wish, especially when he was at a point of mental incapacity such that he could no longer contribute to decision-making even about himself.

So, in the middle of the night, we took him to the emergency room. As we sat in the waiting room, Dad thought he was in a train station on his way to visit old Army buddies, and he was deliriously happy. Instead, the visit was with a doctor who quickly determined that admission to the hospital was warranted.

We doubt Dad ever fully understood what transpired that evening. Leaving him there was one of the most difficult tasks any of us had ever had to do.

That would be the beginning of our relationship with the VA and, in particular, the staff providing services for those with various levels of dementia.

Right away, we learned that the building to which he was assigned was filled not only with people just like himself, but also employed a staff of extremely skilled health-care professionals who began the difficult job of taking care of my father.

His daily needs were not met by the staff less from obligation or duty than from true, honest caring. His aimless wandering was confined behind secured doors—without restraints, thank goodness. Dad's sleepless nights and constant babbling were "normal" there. The staff was unshaken by any of his peculiar behaviors. The specially designed area provided as much of a homelike atmosphere as possible, with bright colors, hanging plants and murals on walls. The unit was always clean, always tidy.

The initial few weeks were full of all sorts of cognitive tests, blood tests and scans. As the results of each test came in, they ruled out, one by one, any chemical imbalances or other underlying culprit that might bring on his state of confusion. If there was a remote