

to joint purchasing activities under the antitrust laws.

Second, the joint negotiations and agreements permitted under this section must be consistent with the purposes of the Act, as amended by S. 414 and as determined by the Federal Maritime Commission. For example, the ability of joint purchasing arrangements to contribute to efficiencies in the U.S. transportation system in the ocean commerce of the United States that are then passed on to shippers is a factor that may be considered in determining whether an arrangement is consistent with the purposes of the 1984 Act. Another purpose of the 1984 Act is the development of an economically sound and efficient U.S.-flag liner fleet capable of meeting national security needs. As stated above, U.S.-flag liner operators have made very substantial investments in affiliated inland intermodal providers, and harm to these providers resulting from the use of market power by conferences or other groups of ocean common carriers would be inconsistent with the 1984 Act's purpose of maintaining a sound U.S.-flag liner fleet.

Mr. MCCAIN. Mr. President, I am pleased that the Senate has adopted S. 414, the Ocean Shipping Reform Act of 1998. S. 414 was approved by the Committee on Commerce, Science, and Transportation on May 1, 1997. Over the past several months, the bill has been adjusted to address the concerns of several members.

S. 414 would instill greater competition within the U.S. international ocean liner shipping market by ensuring that every liner vessel operator has the right to enter into a service contract with any shipper without interference from other vessel operators. This will allow U.S. importers and exporters to contract with vessel operators of their choice, not as directed by ocean shipping cartels.

Also, S. 414 would allow vessel operators and shippers who negotiate service contracts to keep the rates and terms of service of those contracts private. The bill would also remove the requirement that vessel operators provide the same contract rate and terms to other similar shippers. This change, combined with the one I just described, will increase the responsiveness of ocean liner system to market forces.

The bill would also privatize the function of publishing ocean transportation tariffs, which should reduce the expense of this system. The bill would provide the Federal Maritime Commission adequate means to review and enforce tariff and service contract regulations.

The bill also includes a provision I added during the Commerce Committee markup. This provision would require the Secretary of Transportation to obtain certification from the Federal Maritime Commission that a liner vessel operator has not violated certain U.S. shipping laws within the past 5 years prior to the Secretary granting

the operator a shipbuilding loan guarantee under title XI of the Merchant Marine Act, 1936.

I realize that S. 414 is not perfect. In my view, a lot more could be done to improve competition in this business. However, in this case the bill makes significant progress, and should not be held up in the hope that greater progress can be made in the future. I hope the other body will take action on S. 414 so that the bill may be enacted this year.

EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 2646, the Education Savings Act for Public and Private Schools.

The clerk will report the bill.

The legislative clerk read as follows:

A bill (H.R. 2646) 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.

The Senate resumed consideration of the bill.

Pending:

Mack/D'Amato amendment No. 2288, to provide incentives for States to establish and administer periodic teacher testing and merit pay programs for elementary and secondary school teachers.

Glenn amendment No. 2017, to delete education IRA expenditures for elementary and secondary school expenses.

Kennedy amendment No. 2289, to authorize funds to provide an additional 100,000 elementary and secondary school teachers annually to the national pool of such teachers during the 10-year period beginning with 1999 through a new student loan forgiveness program.

Coverdell (for Hutchison) amendment No. 2291, to establish education reform projects that provide same gender schools and classrooms, as long as comparable educational opportunities are offered for students of both sexes.

AMENDMENT NO. 2289

The PRESIDING OFFICER. The pending question is a motion to table the amendment to H.R. 2646 by the Senator from Massachusetts. There will be 4 minutes of debate equally divided.

Who seeks time?

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, the issue that is before the Senate now is whether we are going to take the \$1.6 billion and use it in such a way that is going to effectively help and assist the private schools—because that is where the majority of the money is going to be invested—or whether we are prepared to invest that money to increase the total number of teachers.

Again, Mr. President, the legislation that we have before us this morning will provide \$1.6 billion. We have to decide whether we are going to use that

money to create an IRA which will be primarily used to support private schools, or whether we will take that \$1.6 billion and use it to create more teachers across this country. If we use the \$1.6 billion, we will provide 100,000 new schoolteachers for the public schools across this Nation.

It is estimated that we are going to need 2 million new high school teachers. This will at least provide 100,000. It seems to me that if we are interested in academic achievement and accomplishment and we support our public schools, then getting highly qualified teachers to invest in those schools is the way to go. That is what this amendment does. It takes the \$1.6 billion and uses it to create 100,000 more schoolteachers rather than to use it to create additional funds to support private schools.

We have a modest program in our higher education bill that will provide \$200 million for 5 years, which is \$40 million a year. That is bipartisan. I support it. But it is not enough. We have a major opportunity now to do something significantly for the public schools, and that is to increase the number of qualified teachers who will serve in our public schools.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, first, I am pleased that we are finally coming to a point where we can vote on these core issues. I have three things to say about the statements that have been made by the Senator from Massachusetts.

Mr. COVERDELL. Mr. President, first, the Labor Committee has already addressed the issue of new teachers and done it in a more expeditious manner focusing new teachers on inner-city schools.

Second, the effect of the amendment of the Senator from Massachusetts is to gut and make moot the entire exercise we have been at here now for 6 months. He would in effect deny 14 million families and 20 million children the benefits of education savings accounts, the majority of which are public, not private. He would deny 1 million employees the opportunity for continuing education and 1 million students the opportunity and benefit of State prepaid tuition plans and 500 new schools through new school construction.

Later in the debate we will have another opportunity, through the Gorton amendment, which will be discussed later this afternoon, to free up from Federal regulation large sums of money, over \$10 billion, which local communities and States can use to address teacher shortages, if indeed they have them.

I conclude by saying the effect of the amendment would be to make moot this 6-month debate.

Mr. BINGAMAN. Mr. President, I rise in support of Senator KENNEDY's amendment to the Coverdell bill, which would provide loan forgiveness to teachers in high need areas and subjects. Attracting well qualified teachers through the use of loan forgiveness is a terrific idea and one that I've introduced and supported in the context of the reauthorized Higher Education Act. Loan forgiveness for teachers ensures that teachers are not saddled by excessive debt during their first crucial years of teaching.

Just two days ago, a new report from the American Federation of Teachers on teacher salaries showed that, in part due to the low unemployment and tight labor market of recent months, teacher salaries are falling behind wages for other occupations and will make it even harder for schools to find qualified candidates.

Given all the other jobs that may be available, we as a nation have a serious problem in recruiting strong candidates for teaching. Clearly, loan forgiveness needs to be part of a comprehensive strategy to raise the quality of teachers and attract the best candidates to the classroom.

To help attract more teachers, this amendment proposes to provide up to \$8,000 in loan forgiveness to teachers in high need areas or subjects, as determined by local school districts. While I strongly support the amendment and its intention, there are two issues that are worth raising. One is that the criteria for eligibility are too broad, especially given the amount of money associated with the legislation. More importantly, however, the amendment does not address the basic issue of teacher quality outlined in the findings that preface the legislation. I believe that, in order to be qualified to teach a subject area, particularly on the secondary level, a teacher should have a major in that subject or a related field.

According to a recently completed analysis of state-level student achievement data, states with more teachers holding full certification plus a major in their field do significantly better on National Assessment of Educational Progress (NAEP) reading and math examinations. Students of teachers who completed undergraduate academic majors and appropriate professional coursework achieve better than age peers whose teachers completed education majors, no matter how poor, what their ethnicity, or whether English is a second language.

For these reasons, I am glad to be working with Senator KENNEDY on efforts to raise the quality of teaching in our classrooms and reduce the financial burden on those who have entered this essential profession. If we expect higher standards from students, we need to provide them with teachers who have the documented content area preparation to help them meet those standards.

Mr. KENNEDY. Mr. President, I urge my colleagues to support this amendment to increase the nation's supply of qualified teachers. Investing in teachers is an investment in our children, an investment in the future, and an investment in America. If students in communities across the country are to be prepared to compete in the global marketplace, we must attract and retain the best and the brightest teachers.

We know that having a qualified teacher in the classroom is one of the most important influences on a child's academic success. Yet too many schools are already understaffed. During the next decade, rising student enrollments and massive teacher retirements mean that the nation will need to hire 2 million new teachers. According to the National Center for Education Statistics, between one-third and one-half of all elementary and secondary school teachers are 45 years old or older. The national average age of teachers is 43 years old. The average age of Massachusetts teachers is 46 years old—tying the District of Columbia for having the oldest teachers in the Nation.

Boston alone expects almost half of the city's teachers to retire over the next decade. In addition, Boston already has acute teacher shortages in areas such as bilingual education and high school science. At the same time, Boston's student enrollment is growing by 900 students a year.

The teacher shortage has forced school districts to hire more than 50,000 under-prepared teachers each year, and to ask certified teachers to teach outside their area of expertise. One in four new teachers does not fully meet state certification requirements.

We need to do more—much more—to assure that quality teachers are available for each and every child and classroom.

This amendment provides for the forgiveness of federal student loans as an incentive to college students to become teachers. We know that qualified young men and women can often make more money in private industry. Many of them, burdened with heavy undergraduate and graduate debts from student loans, refuse to even consider teaching as their career. Reducing the burden of their debt can be a significant incentive to encourage them to become teachers, and to agree to teach in areas where the need is greatest.

Attracting more qualified teachers to the teaching field over the next ten years will help to address teacher shortages across the country and improve student achievement. This amendment will move us closer to that goal.

The Labor Committee has recommended a similar provision as part of the Higher Education Act Amendment. But it is entirely appropriate to consider this here as part of the pending bill as well.

Our goal is to recruit 100,000 additional teachers over the next 10 years,

especially in high-need subjects such as math and science.

We should be doing all we can to encourage good students to become good teachers. It is one of our highest priorities in education. I urge my colleagues to support this amendment to help us meet that goal.

Mr. COVERDELL. I yield back our time.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment of the Senator from Massachusetts. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Utah (Mr. BENNETT) is necessarily absent.

Mr. FORD. I announce that the Senator from Hawaii (Mr. INOUE) and the Senator from New York (Mr. MOYNIHAN) are necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote "no."

The result was announced—yeas 56, nays 41, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—56

Abraham	Frist	McCain
Allard	Gorton	McConnell
Ashcroft	Graham	Murkowski
Biden	Gramm	Nickles
Bond	Grams	Roberts
Breaux	Grassley	Roth
Brownback	Gregg	Santorum
Burns	Hagel	Sessions
Byrd	Hatch	Shelby
Campbell	Helms	Smith (NH)
Coats	Hutchinson	Smith (OR)
Cochran	Hutchison	Snowe
Collins	Inhofe	Stevens
Coverdell	Kempthorne	Thomas
Craig	Kyl	Thompson
DeWine	Lieberman	Thurmond
Domenici	Lott	Torricelli
Enzi	Lugar	Warner
Faircloth	Mack	

NAYS—41

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Bingaman	Ford	Mikulski
Boxer	Glenn	Moseley-Braun
Bryan	Harkin	Murray
Bumpers	Hollings	Reed
Chafee	Jeffords	Reid
Cleland	Johnson	Robb
Conrad	Kennedy	Rockefeller
D'Amato	Kerrey	Sarbanes
Daschle	Kerry	Specter
Dodd	Kohl	Wellstone
Dorgan	Landrieu	Wyden
Durbin	Lautenberg	

NOT VOTING—3

Bennett	Inouye	Moynihan
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The motion to lay on the table the amendment (No. 2289) was agreed to.

Mr. BYRD. Mr. President, I would like to briefly explain my vote on the motion to table the amendment offered by my distinguished colleague, Senator KENNEDY, to H.R. 2646, the Education Savings Act for Public and Private Schools. Despite my support for excellence in teaching and the need for more teachers—high-quality teachers—in the classrooms across America, I voted in favor of tabling the amendment.

Like many of my colleagues, I realize the importance of quality teachers in our nation's elementary and secondary

schools. I started out in a modest two-room schoolhouse where I did not have high-technology equipment or much money for supplies, but what I did have were dedicated teachers who really cared about my future and my education. Today, our children and grandchildren are being taught mathematics by teachers who have no background whatsoever in the subject area—none at all! There are situations in which teachers who have been trained to teach physical science instead find themselves teaching mathematics! That is not right, and not fair to the teacher or—more importantly—to the students.

This amendment would provide a maximum of \$8,000 of loan forgiveness over a five-year period to graduate students entering the teaching profession. Given the rising costs associated with a higher education, this certainly does not amount to much in the eyes of a student faced with loans totaling \$50,000 or more. Nor does such an incentive help to bring in more teachers in demand subject areas, such as mathematics.

Mr. President, the issue and need is for more qualified teachers, not just more teachers. Teaching is a profession for which one must have a true passion as well as dedication and talent. As Aristotle stated so eloquently in his day,

Teachers who educated children deserved more honour than parents who merely gave them birth; for bare life is furnished by the one, the other ensures a good life.

This amendment does not ensure that quality teachers will be brought into the classrooms. While ostensibly a targeted amendment designed to help provide better teachers for Title I schools and those schools which lack quality teachers in core subject areas, it would cover over ninety percent of all schools. Over ninety percent, Mr. President, I do not call this targeted.

While I support the amendment in principle, I believe that it is an unfocused proposal at best. The amendment relies heavily on the hope that limited student loan forgiveness will serve as incentive for graduate students to opt into a teaching profession in lieu of a higher paying job. Furthermore, it does not target the schools which are truly in need of better quality teachers, nor does it ensure that it will be quality teachers in the needed subject areas who make their way into the classrooms. For these reasons, Mr. President, I have voted to table the amendment.

The PRESIDING OFFICER. The pending business is amendment No. 2291 by the Senator from Texas to H.R. 2646. There will be 30 minutes of debate equally divided.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the vote scheduled for 2:15 today now be postponed to occur at 2:30 with all other pa-

rameters of the consent agreement in status quo. I further ask unanimous consent that following those votes, Senator MOSELEY-BRAUN be recognized to offer her amendment.

The PRESIDING OFFICER. Is there objection? Hearing none, without objection, it is so ordered.

Mr. COVERDELL. Mr. President, the pending business is the Hutchison amendment. However, the Senator from Massachusetts has a short comment to make, as does the Senator from Missouri. I believe Senator HUTCHISON has agreed to that. So they will make the appropriate motion to set the amendment aside for a moment.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

The PRESIDING OFFICER. Is there objection? Hearing none, without objection, it is so ordered.

Mr. KERRY. I ask unanimous consent that I be permitted to proceed for not to exceed 2 minutes.

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

Mr. KERRY. Mr. President, I just wanted to explain with respect to my vote cast on the Coverdell amendment that I respect the notion that having a savings account is not a bad one. I want to compliment the Senator from Georgia for his efforts to create it. The problem is that the numbers I have received from CBO and elsewhere on the distribution create problems, in my judgment, in terms of fairness of that distribution.

Secondly, because of the low-income reach of some of it, there are difficulties in the takeup on the available tax benefit as to whether or not it will really reach education.

And thirdly and most important of all, I think that to address the question of trying to improve people's opportunities for schools in a vacuum, not to include it in the context of the place where 90 percent of our children are going to school, which is the public school system, is a mistake. Every time we come at it in one of these marginal efforts that, in a sense, gives people an opportunity to make a choice in one component but we do not address it with respect to the school system as a whole, we are diminishing the opportunities for that other 90 percent, which now may become 88 percent, but it is still the vast majority of America's schoolchildren.

For that reason, while I compliment the Senator in addressing the question of savings accounts and choice—which I think is a critical element of the larger reform—we ought to be doing it in the context of a broad reform. I think until we do that, these kinds of efforts can actually wind up being harmful, well-intentioned as they are.

I thank my colleague for permitting me the time to make my explanation and my vote. I yield the remainder of my time.

AMENDMENT NO. 2291

The PRESIDING OFFICER (Mr. SANTORUM). The pending question is amendment 2291 by the Senator from Texas to H.R. 2646. There will be 30 minutes of debate equally divided.

The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I wish to be notified at least 4 minutes before the end of my 15-minute allocation, with the intention of giving 2 minutes to the Senator from Georgia to argue in favor, and then I want to reserve the remainder of my time for the end of the debate following any debate opposing my amendment.

My amendment simply seeks to give the opportunity to public schools what private schools can now do, and that is offer an option of same-gender classes or schools. I seek to amend the allowable uses of title VI funds for education reform projects that provide same-gender schools and classrooms as long as comparable educational opportunities are offered for students of both sexes.

Mr. President, title VI is the place in our education code providing for reform of education to create new and innovative programs to try to improve our public education opportunities in this country.

I am offering this amendment to remove a cloud of doubt hanging over the education community about the Federal policy on whether we allow a local decision by a local public school district to operate same-gender schools and classrooms.

The amendment is very simple. It adds the establishment and operation of same-gender schools and classes to the allowable uses for funds under title VI. It is not a mandate; it is an option. The title VI program is so broad and flexible that I believe it already allows same-gender education programs. But due largely to the fear that many schools throughout our country have, believing that the Education Department's Office for Civil Rights would not allow same-gender education efforts, most States and school districts are reluctant to use their own money, much less Federal money, for these purposes. This is unfortunate.

Ask almost any student or graduate of a same-gender school, most of whom are from private and parochial schools, and they will almost always tell you that they were enriched and strengthened by the experience. Surveys and studies of students show that both boys and girls enrolled in same-gender programs tend to be more competent, more focused on their studies, and ultimately more successful in school as well as later in their careers. We are talking here about K through 12. Specifically, girls report being more willing to participate in class and to take difficult math and science classes that they otherwise would not have attempted. Boys also report less pressure of being put down by their classmates for wanting to participate in class and excel at their studies. Both sexes report feeling more of a camaraderie and

sense of peer and teacher support than they do when they are in a coed environment. Teachers, too, report fewer control and discipline problems, something almost any teacher will tell you can consume a good part of class time.

Inevitably, these positive student attitudes translate into academic results. Study after study shows that girls and boys in same-gender classes, on average, are academically more successful and ambitious than their coed counterparts.

I also note that a recent well-publicized report by the American Association of University Women did not so much challenge the demonstrated benefits of same-gender schools as it called to implement these benefits into coed classrooms. That is exactly the point. For many students, the same-gender schools and classrooms is the most conducive environment for success, precisely because they are same gender. No one would dispute that schools and teachers should strive to maintain order, academic rigor, and treat boys and girls equally. The fact is that in some cases this tends to be easier in a same-gender environment.

Same-gender education has benefited students like Cyndee Couch, a seventh grader at Young Women's Leadership school in East Harlem. Cyndee and the other students at this all-girls school, located in a low-income, predominantly African American and Hispanic section of New York City, have an attendance rate of 91.8 percent—significantly above the New York City average. They also score higher on math and science exams than the city average. In fact, 90 percent of the school's students recently scored at or above the grade level on the standardized public school math problem solving test. The citywide average was only 50 percent.

Last year, Cyndee bravely appeared on the television show "60 Minutes" to talk about why she likes the all-girl public school. She told host Morley Safer, "As long as I'm in this school and I'm learning and no boys are allowed in the school, I think everything is going to be OK."

Unfortunately for Cyndee and for other students in fledgling same-gender public school programs around the country, everything is not OK. Opponents of same-gender education have sued to shut down the Young Women's Leadership school and other schools like it around the country. Mr. President, I can't imagine why they would do this. Why would they take away this option for parents in East Harlem of New York City? When they can't choose the environment that they find is more supportive and conducive to learning for their children, what are their options? Whose civil rights are being violated when parents and their children voluntarily enroll in same-gender programs in the hope that they will be able to get a better education and have a better chance at success in life? Who is harmed by that?

Mr. President, many of our Nation's public schools are failing in their jobs to adequately prepare our young people for the challenges that face them. After decades of rhetoric about who is to blame for this failure, it is time to stop talking and give more options. We need to find out what works and use it. For many students, same-gender education works. It is certainly not the only answer to our public school woes, but it is one solution that should not be left out of the equation.

We are adding to the list of choices. We are not mandating anything. In education, one-size-fits-all is simply not going to work. We have to allow our local schools to have all the choices that can best fit the individual students in their school districts.

Some opponents of same gender education may also try to claim that it violates title IX of the Civil Rights Act or the equal protection clause of the Constitution. Both of those arguments are erroneous. Title IX was passed as part of the Education Amendment of 1972. It prohibits discrimination on the basis of sex at any school receiving Federal financial assistance. Title IX was never intended to prohibit same-gender K-12 education. In fact, with regard to admissions, the language of title IX applies only to higher education institutions that were not same-gender at the time of passage of the provision and to vocational and professional institutions. An earlier version of title IX that would have prohibited same-gender admissions policies, K-12, was specifically defeated in Congress.

The language of title IX as well as subsequent judicial interpretations of title IX make it clear that the law does not prohibit same-gender schools. What, then, about same-gender classrooms located at coed schools? Are they prohibited by title IX? The answer again is no. The overriding purpose and intent of title IX is to prohibit discrimination against individuals because of their sex, not to erase any consideration of the different educational needs of boys and girls. There simply is no discrimination if comparable educational opportunities are afforded to each sex, as my amendment requires.

Indeed, title IX itself recognizes a number of gender differences in allowing separate programs for physical education, organized sports, and sex education. Even the Department of Education sees same-gender classrooms as acceptable if the school is able to come up with a sufficiently convincing argument that it is doing so to overcome some past discrimination against one sex or the other with regard to that course offering, even though no such proof of past discrimination is required by the language of title IX.

I believe the only justification that schools should need to have to institute a single-sex classroom or school is that the school and the parents believe it will provide a better educational opportunity for the parents and children

who choose the option. This reflects both the language and the intent of title IX, and what we would do today with this amendment is clarify that that is the will of Congress.

Mr. President, I will yield 2 minutes to the Senator from Georgia, after which I will reserve my final 2 minutes.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I rise in support of the amendment offered by the Senator from Texas. Federal funding should not discriminate in favor of same-sex education. Currently, it does.

Same-gender schools boast years of success. Studies have shown that single-gender education worked well in the inner city. Seventh graders who had attended Malcolm X Academy in Detroit, MI—an all-boys inner-city school—had the highest math scores among 77 Detroit schools and the second highest in Michigan among 780 schools. Cornelius Riordan, a professor at Providence University, found that African American and Hispanic students in single-gender schools outperform their coed peers by nearly a grade level.

This proposal simply rights a wrong without increasing burdens on the taxpayers. Right now, neither IX nor the equal protection clause prohibits single-sex schools. This is another example of how one size does not fit all. Parents and children should have the choice of single-sex education in public schools. As I said, I support the excellent work and the amendment offered by Senator HUTCHISON of Texas.

I yield back to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I would like to reserve the balance of my time for after any opponents who might appear.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. HUTCHISON. Mr. President, it is my intention to finish the use of my time. I understand there will be no one speaking against it at this time. So we will close out this debate and go to the next amendment.

Mr. President, I just want to speak to the last point, which is the concern about the equal protection clause of the 14th amendment to the Constitution. The Supreme Court recently struck down the all-male admission policy of Virginia Military Academy on the grounds that it violated equal protection for female applicants because Virginia did not meet the constitutional requirement that there be a comparable facility for women.

My amendment clearly requires that there be comparable opportunities for both sexes. Mr. President, we are meeting the constitutional test of the 14th amendment. We are meeting the constitutional test of equal protection, and we are meeting the definition of title IX, and we are adding an option to title VI.

In short, what we are trying to do is say that the parents of children who go to public schools should have the option—not any kind of mandate, but the option—in grades K through 12 to allow same-gender classes or same-gender schools to be offered in their school districts.

We believe that for some children it is proven that they can excel academically in the lower grades when they are in a same-gender environment. This has been proven with both boys and girls. Why not allow our public school-children to have the same opportunities that parents could choose if they could afford to send their children to private schools? Why not say our education system is failing and the way we are going to improve it and tailor it to individual boys and girls in this country so that they can meet their full potential with the best education that they can receive is to allow more options for our public schools?

I believe these options are available now. But because it is not absolutely clear, many public schools are afraid to go forward for fear they might be sued to shut down, which is exactly what is happening to the Young Women's Leadership School in East Harlem that is showing nothing but success. Someone has come in to sue and to say that this violates the Constitution. I argue that it doesn't violate the Constitution; it is required by our Constitution to give our children in our public schools the same opportunities that a child going to private school would have. Let's improve the education system and vote for this amendment.

Thank you, Mr. President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COVERDELL. 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. COVERDELL. Mr. President, I ask unanimous consent that all time be yielded on the Hutchinson amendment No. 2291, and that a vote occur on or in relation to that amendment immediately following the two previously scheduled votes at 2:30. I further ask unanimous consent that no amendments be in order to amendment No. 2291 and, finally, that Senator MOSELEY-BRAUN be recognized to offer her amendment following those votes.

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

Mr. COVERDELL. Mr. President, I ask unanimous consent that there be 2

minutes of debate equally divided between each of the stacked votes at 2:30 today.

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

Mr. COVERDELL. Mr. President, I now ask unanimous consent that general debate be in order to the pending legislation until the hour of 12:30 today with the time equally divided in the usual form.

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

The PRESIDING OFFICER. Who yields time?

Mr. HAGEL addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I rise this morning to express my strong support for the Parent and Student Savings Account Act, or PASS Act, of which I am a cosponsor. I have listened over the last few weeks to the debate on this issue. It is about things bigger than just the Coverdell bill. It is about the philosophy of education in America. I am constantly astonished that the Coverdell bill has so exercised so many of my colleagues. I question why this is such a big deal.

The Coverdell bill is part of an overall philosophy about education. Yes; our future is our children, and our children's future is education. But this Coverdell bill should be part of the national debate about where we take education into the next century—this new, bold, dynamic competitive new century. For the first time we will ask our young people to compete in a new, competitive, international world.

After all, Mr. President, what is education about? What is education really about? It is not about debating amendments on the floor of the Senate. It should not be about whose money it is, or whose money it is not, nor about bureaucracy. It should be about our young people. It should be about educating our young people so that they are prepared to compete in this brave new world—this world full of immense opportunities. But there will not be opportunities if we do not prepare our young people to negotiate this new world.

Education is about something else. It is not just about science and math, and reading and writing—yes, that is important—and economics, history, and geography. It is also about developing young people so that we are producing happy, productive citizens—happy, productive citizens so that they, too, might contribute to our society and to our culture. But ignorance is the great enemy to productivity and to secure, happy lives. It is all connected. It is all connected.

If in fact you believe, as I do, that the Federal Government does not belong in education—in fact, if we will roll this back 200 years, you show me in the Constitution of the United States, or show me anywhere, where the Federal Government has the responsibility to educate our young peo-

ple. It does not. It can't. We are overloading our circuits. We are overloading our system. We are asking the Government to do things that Government can't possibly do. Therefore, as we have done over the last 30 years, there has been a breakdown in confidence in our country and in government at every level, but especially Government at the Federal level.

What do we do about it? Let's step back for a moment and pause and be unemotional and sort this out. We sort it out this way. Who has the most to win or lose when it comes to education of our young people? Of course, the parents are the ones who care the most, and who should care the most. The parents are the connecting rod for our children in every facet and every aspect of our children's lives. Who also cares about our students and about their education? Teachers. Revelation—teachers—parents and teachers.

So we have a good combination going on here—not the Government, not the Federal Government, not the Department of Education, not the President, not Senator HAGEL nor Senator COVERDELL. Education belongs at the local level because that is where the issue is. This is not about books and textbooks, numbers, frogs, dissecting, and biology class. It is about people. It is about young people. It is about their lives. It is about the strains and stresses of young people. We have all been through it.

What is wrong with examining in some detail, as we are doing, the Coverdell bill? What is wrong with actually allowing parents to put aside after-tax income? By the way, after-tax income is not costing the public schools a dime. It is not costing the public schools a dime. We are allowing the parents who have the most to win or lose by the education of their children an opportunity to take their own money that they work for after they have paid their taxes and put it into a savings account. It is the same thing that we did last year. My goodness, President Clinton had a Rose Garden ceremony. He took great credit for allowing our parents to have education savings accounts to educate our children after they are out of high school.

All this does is allow the same parents to set aside money to help educate their children in K through 12. That is all we are doing here. We are not really breaking any new ground. What is so wrong with that? What is wrong with that concept? This Senator from the State of Nebraska doesn't think there is anything wrong with it. As a matter of fact, we need more of that. We need more. We need less government influence and more local parent-teacher influence in education.

So much misinformation has been spread around on this issue. We should set the record straight. As I said, this does not inhibit, damage, nor affect public schools adversely at all. As a matter of fact, it helps public schools

because the parents who set up the savings account can draw from that savings account to help their students and their children if they are in public school just as if they are in private school. Those moneys can be used for transportation, tutors, equipment, supplies, tuition—anything that helps the student learn. After all, Mr. President, isn't that what this debate should be about? It shouldn't be about defending turf. It shouldn't be about, "Gee, I do not want to give that program up." It should be allowing the parents to have as much direct influence and responsibility, as well as teachers, as well as the local school board, the city, the county and State, in how our young people are educated.

That is what this debate is about. As we work our way through this Coverdell bill, expanding on what we already did last year in setting up education savings accounts, it should be a national debate, and it should reside in the arena of a philosophy about education.

I would also point out that in the more than 200-year history of this country, there is one point that has been unmistakably clear. And I go back to an earlier point I made. Governments do not change behavior. Young people are formed from the inside out. Young people are not formed from the outside in. Young people are formed from their parents, their religious mentors, their religion, their teachers, their coaches, and private voluntary organizations like Girl Scouts and Boy Scouts.

That is how young people are taught. That is how they develop standards. That is how they develop expectations and understand values. That is what this debate is about. I hope we can focus on what is really important here, and that is helping our parents and our teachers help our students learn, to prepare them for a hopeful, happy, productive educated life. Only then can this great Nation not only survive but be dominant well into the next century, a nation which has produced so much good not only in this country but in the world.

Think of what this country through freedom of expression, individual liberty, and our educational system has done for the world. That is our charge in this body. That is our responsibility—to assure that the next generations not only have the same opportunities but better opportunities and are better prepared than we were. The Coverdell bill is one way to help us get there.

I thank the Chair. I yield the floor.

Mr. COVERDELL. Mr. President, how much time is remaining on each side?

The PRESIDING OFFICER. The Senator from Georgia has 23 minutes under his control and 32 minutes on the other side.

Mr. COVERDELL. Mr. President, I thank the Senator from Nebraska for his passion on behalf of reform, break-

ing the status quo, not only on this but so many issues. I very much appreciate the comments that were made in the name of changing this system so that we can start turning around this horrible data we are receiving from our kindergarten through high school classes. We cannot prepare for the new century in this vein. Change has to occur. I appreciate very much the comments made by the Senator from Nebraska.

Mr. President, I suggest the absence of a quorum and ask that the time be equally divided.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. 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. KENNEDY. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

Mr. KENNEDY. Mr. President, I urge the Senate to oppose the anti-education Republican tax bill. Improving education can and must be a top priority for Congress and the Nation, but this Republican bill flunks the test. They call it the A+ bill, but it is anti-education and deserves an F. This Republican bill and its proposed Republican amendments are bad tax policy and bad education policy, and it clearly deserves the veto that President Clinton has pledged to give it.

It is the Nation's public schools that need help. So what do our Republican friends do? They propose legislation to aid private schools. That makes no sense at all. Our goal is to strengthen public schools, not abandon them. Our goal is to help all children get a good education, not just the ones with wealthy parents. It is clear that our Republican friends are no friends of public schools. They have an anti-education agenda. They want tax breaks for the wealthy who send their children to private schools.

The underlying bill uses tax breaks to subsidize parents to send their children to private schools, and it is a serious mistake. It diverts scarce resources away from public schools that have the greatest need. The regressive Republican tax bill does nothing to improve public schools—it does nothing to improve public schools. It does nothing to address the serious need of public schools to build new facilities and repair the existing crumbling facilities.

This afternoon, we will have the excellent amendment of the Senator from Illinois, CAROL MOSELEY-BRAUN, who has really been the leader in this body and in the country in recognizing the challenges that so many of our schools are facing. They are old and crumbling, and we need to modernize them.

It is a powerful amendment because the amendment says we are prepared to put resources to reconstruct our

schools, but it also has a subliminal message, and that is that we want our children to go into the best facilities. If we say to the young people of this Nation that education is a priority, and day after day they go to dilapidated schools or schools that have leaky ceilings or the windows are broken or they have inadequate facilities, we are sending a message to children that they are not a priority in this country and that education is not a priority.

When we ask our children to spend the time to do the hard and difficult work to master subject matters, they have to really wonder whether the message that is coming from an older generation has much merit. That is why the amendment of Senator CAROL MOSELEY-BRAUN is so important and why I think all of us are very hopeful that we can attain the objectives of that amendment and see that amendment approved.

I know she will have an opportunity to go into very considerable detail about the General Accounting Office study of the schools across the Nation. It estimates that \$110 billion is needed to invest in our schools in order to bring them up to satisfactory condition. Her amendment is much more modest, but it is an important amendment, and it is one that deserves the support of all of us who are interested in making sure that at least the physical facilities are going to be first rate for the future generations of children. It just makes common sense.

In many of our communities, particularly older communities, whether it is in urban areas or rural communities, they just don't have the wherewithal to do that. But the amendment of the Senator from Illinois, CAROL MOSELEY-BRAUN, provides some help and assistance in providing interest-free loans to those communities so that they can themselves make the judgment, make the determination, but they will get some help and assistance in terms of borrowing those funds interest free.

It makes a great deal of sense. I think we will have an alternative and an opportunity to say whether that amendment is really where we want to go or, on the other hand, if we want to continue with the Republican proposal that will provide just some tax benefits for a certain group of Americans who are going to use those tax benefits to benefit children attending the private schools. That is going to be a very, very important debate and one where I hope our colleagues will find compelling reasons to support that amendment.

Second, Mr. President, the underlying Coverdell proposal does nothing to reduce the class size in our schools. I don't know how many more hearings we have to have in our education committee and how many other examinations of what is happening in a number of different States—in Kentucky and in many other communities across this country—to understand that when you have too many children in the class—

you may have teachers who are able to handle it and do it very well, and we take our hats off to them—but when you are talking about having classes with 30 students, 25 students, 20 students, you are talking about an enormous demand on the teacher and also inappropriate lack of attention for the students. We will also have an opportunity to vote on that later in the course of this debate. That can make a major difference in helping and assisting local communities in having reduced class sizes. That, I think, is a higher priority than, again, providing the tax benefits for those who want to use those for private schools.

This underlying proposal does nothing to provide qualified teachers in more classrooms across the Nation. We had an opportunity to address that briefly in our debate earlier today. It was turned down. I welcome the fact that we had 41 Senators who supported our proposal that said, if we are going to spend \$1.6 billion in education, let us make the decision that we want to invest it in more teachers for the 4 million additional children who are going to be attending our public school system, to help meet the gap, which we recognize is 2 million teachers that we are going to need for our public schools over the next 10 years; let us at least have 100,000 new, well-qualified teachers to teach in those schools. That is a preferable way of spending \$1.6 billion rather than, again, spending this as a tax break, as a new entitlement—a new entitlement program—that is going to benefit, again, those who send their children to private schools.

It does nothing in this underlying amendment to help children reach high academic standards. I don't, again, know how many hours of hearings we have to have to say that children respond best when they are challenged. Most of us as human beings do. Our Nation does. It always has at a time of its greatest need. We should challenge children to raise the bar, rather than teaching down to them. We should create higher academic standards. We ought to be doing that.

There is nothing in this legislation that will do anything like that for the public schools in this country. It does nothing to provide afterschool activities to keep kids off the street, away from drugs, and out of trouble. We know the value of afterschool programs.

We have some 5 million children in our country who this afternoon at 2 or 2:30 will go home to empty houses. They will be told by their parents, "Look, maybe have a little snack, and if you have to watch television, watch television on X station; try and get your homework done." But we know what happens in those circumstances. Too many of those children who are left alone, unsupervised, more often than not will find that the temptations of getting into trouble are increased dramatically.

This is not just a diversion from education, but it also has an important

impact in terms of crime in our local communities.

A city that has made about as much progress as any city in this country is my city of Boston. It has gone 2 years and 4 months without a single youth homicide. And if you ask Paul Evans, who is the commissioner of the police department in Boston, MA, he will say, yes, dealing in an appropriate way with gangs, that is No. 1. No. 2, tracing various weapons that are used in gangs. But No. 3, afterschool programs. Afterschool programs keep kids out of trouble. That is very, very important.

Is there anything with the \$1.6 billion that is being recommended on the floor of the U.S. Senate to try to develop programs that we know are tried and tested, that will provide an incentive for children to go to various community centers, to work with volunteers? The number of young people who are volunteering is increasing every single day to help children with their homework so that when they do go home and they see their parents, who have been working hard all day, they will have quality time with their parents rather than hearing from their parents, "Well, you ought to go upstairs and make sure you get your homework done." This is enormously important, and it is recognized by educators and those who are concerned about law enforcement across this country. There isn't a nickel in this program—not a nickel in this program—to try to address that particular issue.

So, Mr. President, we know where these benefits are going to go. They are going to go to the individuals who are going to invest those benefits in the private schools rather than investing in our public schools.

The challenge is clear. We must do all we can to improve teaching and learning for all of the students across the country. We must continue to support efforts to raise academic standards. We must test students early so we know where they need help in time to make that help effective. We must provide better training for current and new teachers so they are well-prepared to teach to higher standards.

We must reduce class size to help students obtain the individual attention they need. We must provide afterschool programs to make constructive alternatives available to students. We must provide greater resources to modernize and expand the Nation's school buildings to meet the urgent needs of schools for up-to-date facilities. We cannot stand by and let regressive tax policy pass to help private schools at the expense of the public schools.

In those items that I have just mentioned, every superintendent of schools, every schoolteacher, every department of education across this country would agree with those essential parts of a sound education program to help and assist the public schools in this country. Where in that list do we find "Let's have tax breaks. Let's have the creation of a new entitlement.

Let's create a new entitlement that is basically going to be used in order to support the private schools in this country"? It makes no sense.

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

Mr. KENNEDY. I yield myself 2 more minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 additional minutes.

Mr. KENNEDY. We cannot stand by and let this regressive tax policy pass to help private schools at the expense of public schools. Parents across the country want real solutions, not token gestures in the name of education. We should not waste \$1.5 billion of public tax dollars on a do-nothing tax break program. So I hope my colleagues will join us in opposing this bill. We should do all we can to help the public schools and not abandon them.

Finally, I just want to say that we will be under the close timeframe this afternoon, but I want to just add my strong support again to Senator MOSELEY-BRAUN's substitute for the Coverdell bill. It is well-designed to help communities across the country to modernize, repair, and expand their school facilities.

Schools across the Nation face the serious problem of overcrowding. Antiquated facilities are suffering from physical decay and are not equipped to handle the needs of modern education. Across the country, 14 million children, in a third of the Nation's schools, are learning in substandard buildings. Half the schools have at least one unsatisfactory environmental condition. It would take over \$100 billion just to repair the existing facilities.

It is difficult enough to teach or learn in dilapidated classrooms but now, because of escalating enrollments, classrooms are increasingly overcrowded. The Nation will need 6,000 new schools in the next few years just to maintain the current class size given the expansion of the number of children who will be going to our schools.

Democrats have made this a top priority to see that America has the best education system in the world. Providing safe and adequate school facilities is an important step towards meeting that goal.

So, Mr. President, I hope that our Members will go and support the excellent amendment of the Senator from Illinois this afternoon and that it will be successful. It is far preferable to just providing a tax break for individuals who are going to use that to support the private schools.

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

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio has 15 minutes remaining.

Mr. GLENN. Thank you, Mr. President.

AMENDMENT NO. 2017

Mr. GLENN. Mr. President, I offered an amendment yesterday to the COVERDELL educational IRA bill. The amendment I propose will simply delete the K-12—kindergarten through grade 12—expenses as an authorized deduction for education IRAs. The amendment will keep the increase in the annual allowable contribution from the current \$500 to the maximum \$2,000 a year. I think that is fine, that is good.

But deleting K-12 and increasing the allowable contribution returns education IRAs to their original purpose of providing incentive savings incentives for higher education purposes. That is what the Federal Government has basically taken responsibility for through all the many years that we have been around here.

We should be looking at this whole bill for what it is. It is tax support for private school education. I believe it is bad education policy. I believe it is bad tax policy. I also think it is probably going to pass. If it does, I think the President is going to veto it. He has indicated that that is his intention.

If we look back to the days of our forefathers when people were coming to this country, they came here to have the opportunity for education. They were used to only the rich or—kids from the castle—being able to have formal education.

There were basically two kinds of people. There were the educated and the uneducated. And that is another way of saying there were the wealthy and the poor. That is what education was all about. It was to enable everybody to move up, to have a chance, to use their God-given talents and capabilities and their own desires to move ahead, to make a better life for themselves. And in this country, in the United States, we knew that if a democracy was to succeed—we did not want to return to serfdom, and rule by a few, and wealth for just a few—education was key to making a democracy succeed. It was not a choice in our democracy, it was a must, or our country was doomed.

And the freedom to be educated, that most important freedom to be educated, spread to communities and States. And they all formed and supported public schools for all—for all—of our people. And that is the important thing we are addressing here today—education for all of our people. It was a requirement that we have minimum education.

This is my 24th year as a U.S. Senator representing the people of Ohio. And in that time, I have seen many attempts to divert Federal funds from public to private education. The approaches to accomplish this goal have been many. We had tuition tax credits; we had the voucher system; school choice; now educational IRAs for elementary and secondary education.

The COVERDELL IRA, I believe, is a backdoor voucher that will do nothing to improve public schools for our pub-

lic schoolchildren. That is the responsibility of Government. If other people want to take money, for whatever reason, whether it is religious or whether they just want a different school for their kids, whether they want all boys or all girls schools—that was a choice we did not deny. We did not say that we are going to Federally subsidize that kind of educational choice. And we should not be trying to do it now.

The educational expenses that the COVERDELL bill provides would include tuition and fees at public, private, and religious schools. The bill does not target needy families. And I believe here is one of the biggest reasons against what is being proposed here with the bill.

Mr. COVERDELL. Mr. President, I wonder if the Senator would yield for just one moment on an administrative matter.

Mr. GLENN. Yes, without losing my right to the floor.

Mr. COVERDELL. We have concluded that following your remarks we would use the balance of the remaining time as in morning business. Both sides agreed to that. I just wanted to make it clear, because I will be leaving the floor. I ask unanimous consent for that.

Mr. GLENN. Fine.

The PRESIDING OFFICER. Is there objection to the request to proceed to morning business after the Senator from Ohio completes his remarks?

Mr. GLENN. No objection.

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

Mr. GLENN. Mr. President, the point I was going to make is this: Families in the top 20 percent of income distribution, would receive 70 percent of the benefit of this bill—70 percent.

The Joint Committee on Taxation estimates that more than half the savings would go to families whose children would attend private schools anyway. So 70 percent of the money, 70 percent of the benefit, is going to go to those who already are fully capable of sending their kids to private schools. So the bill subsidizes the savings and spending patterns that already exist.

I do not think we should be heading back toward a bill that sends us back to the place where our forefathers started in Europe: where education is going to be best for the wealthy, where education is for those who have political connections, where education is available for the kids from the castle. That is not the way this country developed. Our country went ahead because we had programs that made education available for every single young person in this country—every single person. And that is what we should still be shooting for today.

Cleveland, OH, has one of only two voucher programs in the country. The other is in Milwaukee. In Ohio, this program permits State funds to be used to send low-income children to private schools. It is the only program that allows the children to attend religious

schools, parochial schools, with taxpayer funds. It is being challenged now before the Ohio State Supreme Court on that basis. It is funded at \$12.5 million over 2 years. It is just finishing its second year right now, and results have been very spotty.

As a matter of fact, there are other problems that have developed also. How about paying for taxicabs for the kids? They found out that the yellow schoolbuses that the school system depends on were not adequate to furnish the transportation for the young people that were going to be taking advantage of the voucher program. That wasn't foreseen. So student taxi rides account for more than half of the \$4.8 million deficit in Cleveland's 2-year-old school voucher program. It shows how an unintended consequence can take over in some instances. The voucher program had to turn to taxi firms and provide payments to parents in lieu of transportation services. That is half the funding.

There is no strong evidence at the end of the second year of the program that the voucher program increases student achievement. We need to have a better understanding of what makes a school successful before we institute a program that benefits a comparatively few young people and takes money out of the public school system. That should be our major concern—our desire to have a good public school system.

Strengthening public education in this country is something we have to do. It is necessary if we are going to be competitive in the economic future of this country. Only by making high-quality education available to all American children—not a favored few, but all American children—will we help develop the skills they need to find meaningful high-wage jobs, while developing a capable and productive work force that is essential, literally essential, to the economic future of this country in this new worldwide economic environment in which we live.

Education reform is one of the top issues before the country now. It is talked about all over, in magazine articles, and is on the cover of magazines. One that I read last night talked about the education problem. That is why I continue to oppose attempts to encourage the use of Federal funds for non-public education, whether in the form of tuition tax credits or vouchers or school choice. I believe including K through 12 in educational IRAs is the first step toward establishing a permanent voucher system. It just bleeds off necessary money from the public schools.

We have a public school system of education in this country that is available to all children. If this educational system is not producing the high level of achievement this Nation now needs, we can't abandon them, we can't say we will just take less money and put it in the public school system. We can't abandon them. That is why I support

the school construction amendment initiatives that will help reduce classroom size and directly benefit all our Nation's public schools by ensuring that all children attend safe and modern public schools. Senator KENNEDY mentioned that a moment ago, and I agree with his remarks on that.

I believe everyone should be saving for their children's education, but the difference between elementary and secondary education and higher education is important. Every child in this country is entitled to a free, appropriate, tuition-free education in every State. We have State laws in every State in our Union that require that. Higher education, going on to the college and university level, however, is optional and is tuition-based. It is hard for parents to save for college. I believe it is appropriate to provide incentives to help them do so. I have supported the prepaid tuition plans in the State of Ohio as a way that students can be assured of a quality education at one of Ohio's State universities or at one of their colleges there.

The amendment which I am offering returns the educational IRA back to its original purpose—higher education expenses only. The only change I make is to keep the increase that is proposed in the contribution limit for education IRAs from \$500 to \$2,000. I think that is fine. This increase in the contribution will enable parents to save more per year for higher education. I urge my colleagues to join me in supporting this amendment.

We have a lot of problems in this country. The old property tax that has been around for a long time is no longer adequate to do the job. It may have been OK back in the days of Jefferson and Washington when we didn't have NASDAQ, the American Stock Exchange and the New York Stock Exchange, mutual funds and so on. Most of the wealth at that time was in property, so a property tax was very appropriate to support the schools. Particularly over the last four or five decades we have now developed into being a service economy where two-thirds of our wealth, two-thirds of our national income, comes from the service industry. So the old property tax is no longer adequate to do our schools. We have to get away from that.

Proposition 13 in California we are familiar with, did, in my view, wreck one of the finest education systems in the country. They are having a lot of problems that everybody else has around the country these days.

We are the only industrialized nation in the world that does not have a national education system. I am not here today to say we should go to a national education system. That would probably get me run down the front steps of the Capitol pretty fast. But we have to do more from the Federal level. We are only a tiny part of our K through 12 education. I think it is just around 5 percent now. Most of that is in school lunch programs and things like that

and not directly on educational matters.

Our system in this country, as Lester Thurow pointed out in his last couple of books, our system is basically run by 15,000 independent school boards all saying, "We won't raise your taxes," and then they get together and decide what they will do in the local school districts. They get elected on "we won't raise your taxes," "We aren't going to vote on any other taxes; we will not raise your property taxes," so we at the Federal level are increasingly up against this as to what we should be doing.

What we see is we are becoming gradually less competitive in a worldwide environment. We can't let that happen. The answer is not, as in this Coverdell bill, to say we will siphon money off from the public school system and give it over to the private school system in the form of vouchers or IRAs or whatever, take it out and put it over there, away from the public school system and support them less instead of more. That doesn't solve our problems in this country. So we do have some other problems. We have to address those, but not this way and not with this particular piece of legislation.

I noted this morning in looking at the Los Angeles Times their lead editorial today was entitled "Don't Drain Public Schools." I ask unanimous consent to have this printed at the conclusion of my remarks.

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

(See Exhibit 1.)

Mr. GLENN. "Don't Drain Public Schools." That is exactly what we are talking about. We will drain public schools to the benefit of private schools, and 70 percent of the money will go to people already capable of providing, to the top 20 percent of the people already capable of providing for private schools for their kids if they want it.

The insert in this article, and I will not read the complete article, the insert says, "Washington should help address the education deficits in the Nation's public schools, but shifting even a small amount of tax money to private schools is not the answer, at least not yet." That about summarizes everything that I want to make a point of this morning.

I think there is a vote on my amendment at 2:15 after our respective party caucuses. I hope people can think long and hard about this. I see this as a first step down a long slippery slope toward less and less support for our public school system, that which serves all America, that which enables people at the lowest level of economic advantage in this country to get opportunity through education and their own hard work to be a contributing member of society and make as much of a success of their lives as anybody else.

I reserve the remainder of my time.

EXHIBIT 1

[From the Los Angeles Times Editorials, Apr. 21, 1998]

DON'T DRAIN PUBLIC SCHOOLS

The White House and the Republican majority in Congress both talk about how much they want to improve education in the United States. But they have very different plans for doing it. President Clinton speaks of more teachers, more schools, more special programs and higher standards. Republicans would rather offer a small monetary reward to every parent who saves for educational expenses, including tuition for non-public elementary or high schools. The White House opposes this modest tax break because it would allow the use of federal funds to subsidize private and parochial schools. On this issue, Clinton is right.

Improving public education has become a top political priority from the District of Columbia, where public schools are in dismal shape, to Los Angeles, with its overwhelmed system and awful test scores. Washington should help address the yawning educational deficits in the nation's public schools, but shifting even a small amount of tax money to private schools is not the answer—at least not yet.

Clinton isn't personally against private schools; his daughter graduated from one last year. But rather than encourage an exodus from public schools at the expense of the taxpayer, he says he wants to fix the public schools to serve all children, including those whose parents cannot afford private or parochial schools with or without a new education savings account.

Fixing the schools is a tall order, as residents of Los Angeles know all too well, and parents can never be blamed for wanting the best for their children. But most educators and employers would agree that the White House is right.

The House of Representatives has approved a GOP bill that would create education savings accounts that work like individual retirement accounts for parents of students in kindergarten through 12th grade. Parents would be allowed to save as much as \$2,000 a year in a special account. The interest would accrue tax-free, so long as the money was withdrawn only for education purposes, including books, computers, tutoring and, foremost, tuition. The Senate is expected to take up its version of the bill this week.

Though schools are traditionally a local responsibility, Washington has been increasingly willing to help. That help should be expanded, but care must be taken to avoid undermining public education. America's great economic engine was built on public schools that took all comers—poor, working-class, middle-class and beyond—and that same mix remains essential for a healthy educational system.

Tax savings under the bill would, according to an analysis by the Joint Tax Commission, average a paltry \$7 to \$37 a year per family. But the principle is big.

This national private-versus-public debate boils down to a difference of priorities. Clinton's ambitious wish list, unveiled during his State of the Union address, calls for spending \$12 billion over seven years to pay for 100,000 new teachers, reducing class size to 18 students in the primary grades and creating 50 "education opportunity zones," patterned after urban enterprise zones, in high-poverty areas, plus funding to help build new schools. Republicans favor initiatives that would allow more parents to remove their children from public schools.

Neither side can expect to prevail while a Democrat sits in the White House and Republicans control Congress, but irreconcilable differences should not be allowed to lead

to gridlock. Both sides agree that something needs to be done about public education.

Public schools, especially in cities, are in trouble. But there are promising reforms being tried, from a radical public school choice program in Seattle to a mayoral takeover in Chicago to L.A.'s focus on the 100 worst-performing schools. Playing on the frustration of parents in a way that undermines the whole system is not the cure.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. I ask unanimous consent to speak for 10 minutes as in morning business.

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

Mr. SANTORUM. Mr. President, I felt compelled, while I was in the chair in the last hour, to comment on the statements of the Senator from Massachusetts and the Senator from Ohio. I found it quite remarkable, sitting and listening to what was laid out, I think, somewhat factually about the problems we have in education, that the educational system is not meeting the needs of our country in providing good citizens, the education necessary to be good citizens, and the education necessary to perform needed functions in our economy.

The response to the problem in education from the Senator who spoke, and from others who oppose this bill, is two things. I hear two things. One, we need more bricks and mortar. If we had better looking schools and more nicely appointed schools, or even better equipment, somehow the problem would go away. On top of that, we need more teachers. So if we just did more of the same, only did it better, with nicer buildings and more people, things would improve.

I am not too sure that most Americans who are interfacing with the school systems in this country right now would accept that as the reasonable course, that what we need is just a few more teachers in the schools and better looking buildings. I have been to a lot of schools. I have been to about 120 public school districts in my State. I go to schools all the time. I spend a great deal of my time as I travel the State talking in the public schools. I have been to a few private schools, too. By and large, I would say that the public schools I went to were in much better condition than the parochial schools and private schools I went to. No comparison. Much better equipment, much more state-of-the-art, much better teacher ratios than the parochial schools I went to. So if the problem in the public schools was better buildings and more teachers, then the results that I would get in going to a public school in inner-city Pittsburgh, and one that is a parochial school, should be dramatically different based on this criterion that more teachers and nicer buildings make good school districts and educate children.

In fact, the results are just the opposite. It is not bricks and mortar. It is not numbers of teachers. It is struc-

ture, it is discipline, it is order, and it is caring and concern, it is love, it is involvement—all of those intangible things that have to do with families and people who are committed to educating children. So what those of us on our side believe is the answer is not to pump more money into bricks and mortar and existing structures, but to pump more money into the people who make a real difference in children's lives, and that is families—families, who can help their children by assisting them with some resources, help them in their public or private or parochial education. That is just a fundamental difference as to what we believe works in education.

I don't think that continuing to throw money at the system would work. This is truly remarkable. You would think this bill took money from the public schools. For the record, there is nothing in this bill that takes one dollar out of the Federal commitment to education. In fact, there is more money in this bill, but you would not know that. I have been here for the last hour and 15 minutes, and you would not know that by listening to the other side. You would think that this were stripping money out of Federal support for education in the public schools. That is not true. Not one penny. In fact, more money for school construction is in this bill. So there is not one dollar being taken away, not one dollar being diverted away. This is in fact "new Federal support" for education.

Where is it going? It is going to families. This is sort of funny. I almost feel bad saying, "Where is it going?" "To families." We are letting it stay there; we are just going to be benevolent enough to let them keep it if they do with it what we want them to do, which is to help support their children in education. It is saying that if you do what we want you to do with that money, we will let you keep it.

It is very nice of us to do this, isn't it? It is sort of nice to come around and say we will let you keep the money if you do what we tell you. What the other side wants to do is say, "No, we are not going to even let you have the choice to take that money. Excuse me, we are going to give it over here to build more schools and give it to more teachers." They say that is the problem, that we don't have nice schools and we don't have enough teachers.

Again, I don't think too many people really believe that. What we want to do is get at the heart of the problem, which is to give parents the opportunity to educate their children, not to give schools more money.

There is another remarkable thing here. When I say not to give schools more money, what we are talking about here with these A+ accounts is \$100 million a year. You would think we were talking about huge amounts of money vis-a-vis what we spend on public education. We spend roughly one-quarter of a trillion dollars on public

education per year. The Senator from Georgia told me that. This bill is \$100 million per year. This is hardly a division plowing into the main line of the educational establishment; this is a sniper, at best, saying, "Look, we are here." This is a very moderate, very modest proposal, to say: Let's allow families to have some choices here. We do a great job.

This is another astounding thing. The amendment of the Senator from Ohio says that we should not allow this money to be used for K-12, let it be used for postsecondary education. I travel around the State of Pennsylvania a lot and around the country a little bit. I hear a lot of people complaining to me about the quality of K-12 education and the problems in primary and secondary education. I hear a lot of complaints about higher education, but it is not about quality. It is not about quality. It is somewhat about access and about costs, yes. But I think we are the envy of the world when it comes to colleges and universities and technical schools after primary and secondary school.

Yet, what do we want to do? We want to put more money where there isn't a problem as far as quality and producing good products, and not put it into the area where people think the biggest problem exists. Now, I am telling you, if I were running a company and I had two divisions, one that was doing well producing good product and the other that was not, and someone came forth and said they thought we could change the system by which we produce this product, look at a different approach, because we have been trying this old approach now for decades and it just isn't keeping up with the requirements of the new age that is out there, as far as the need for education, this product isn't keeping up with standards and we need to look at how to change it, some folks might come forward and say, "See these old machines here. We need to put more bells and whistles on to make them look nicer. We don't need to change the structure or how it works, it just needs to be run better and we need more people running it." That is what their answer is.

Some of us are saying, as well, that maybe we should try other machines or look to change this machine so it doesn't function a little differently than it has done in the past. We want to put some money in to do that. This board of directors is saying, "Oh, no, no. Leave this system just the way it is. Clean it up a little bit, put a few more operators on the machine, and put the money over here where we have the good product. Don't fix the old product."

I don't think that makes sense to most Americans. It certainly does not make sense to me. So what we are trying to do here in a very modest way is to say the future of education is going to be just like the future in everything we do, as we become more and more decentralized as an economy and as a

country, with people demanding and expecting more choices and more freedom and needing it to be flexible enough to deal with the changing economy and the changing world. Instead of setting up institutions and structures that may or may not—in most cases, they will not—meet the changing needs of our economy and our educational needs, to invest that money into the flexible family, if you will, into the family that in my community in Penn Hills, PA, maybe have very different needs as to what their child needs to be educated for, given the capability of the child, given what the economy is in the area, given what skills are necessary in the region, whatever it is, than someone in Birmingham, AL, who may have a very different set of skills needed, a very different community, very different needs, but allow that family to make that decision, give them the resources if they want to send the child to the public school and use that money to buy some software, or to buy a computer, or to buy other kinds of teaching aids, or to buy tutorial services, whatever it is, give them the flexibility to meet the needs of their child instead of putting more bricks in a school.

It is just common sense. It makes sense. It is so obvious on its face that, if we are going to do anything to allow the family and the individual student to have the flexibility to deal with this changing environment in education and our economy, it is the only direction we can take rather than put money into the old machine to just make it look nice and put more operators pulling the gadgets. I mean, it is just inconceivable that anybody thinks that is the answer to this dynamic educational marketplace that we have. We have a great opportunity here to show that we get it—that we in our hallowed Halls can walk outside and go into a community school to see what makes the difference in education is not nice buildings or small classrooms. Those are nice things. But it is committed families, committed teachers, and it is community involvement—someone going to a school where they can take part of something that is good for them, they can contribute to their well-being. That can only be done through families and giving them the resources to maximize their own children's future.

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

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

RECESS

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Sen-

ate stand in recess until the hour of 2:15 p.m.

There being no objection, the Senate, at 12:23 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

The PRESIDING OFFICER. The Presiding Officer, in his capacity as a Senator from Indiana, notes the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FAIRCLOTH. I ask unanimous consent that the order for the quorum call be rescinded.

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

CONDOLENCES OF THE SENATE ON THE DEATH OF FORMER SENATOR TERRY SANFORD

Mr. FAIRCLOTH. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 211, which I submitted earlier and is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 211) expressing the condolences of the Senate on the death of the Honorable Terry Sanford, former United States Senator from North Carolina.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. FAIRCLOTH. Mr. President, I note that all 100 Senators have joined me as cosponsors of this resolution.

This resolution is to honor a truly great American and a great North Carolinian, former Senator Terry Sanford, a man I knew since I was about 18, 19 years old. In fact, I joined him in managing the campaign for a candidate for Governor, a man named Kerr Scott, and with that election we changed the direction of politics in North Carolina.

We had a long friendship. As I say, it began with that campaign, and we went through many political campaigns together. He had a remarkable life. He managed two or three senatorial campaigns on which I had the pleasure of working with him.

Prior to that, Terry Sanford graduated from the University of North Carolina in the late thirties. During World War II, he was an FBI agent in the early part of the war, in the very beginning, but being an FBI agent was not exciting enough for Terry Sanford. He chose to join the 82nd Airborne and became an officer and a paratrooper.

He was involved in five different battles during World War II, and he won the Bronze Star and the Purple Heart.

Terry Sanford was always a paratrooper. He was ready to go for it. He was ready to jump into the middle of whatever might be happening.

As I mentioned earlier, he managed and ran some political campaigns, but he was also a State legislator and took

great interest when he was a State legislator in developing the Port of Wilmington, NC, and established the ports authority for North Carolina.

He ran for Governor and won. He was Governor from 1961 through 1965, and never did a man have greater vision for a State than Terry Sanford had for our State. He was a leader in education, but not just education in the sense of teaching young people to read and write and the fundamentals of education. He certainly did that and promoted that. But far more, he promoted a school of excellence for those children who were far more gifted. Then he established a school of the arts, which now exists in Winston-Salem, NC, and is one of the foremost training and teaching institutions in the country for young people who are entering the arts from dancing to moviemaking. This school is there because of him.

Although he did not technically start the community college system, he did more than any Governor we have had since or before to promote the community college system in North Carolina with 59 campuses. He really brought it to fruition.

Again, although he did not start, technically, the Research Triangle Park, he and his administration were deeply involved in bringing it about and setting it on the path it has taken.

I mentioned he was a lawyer for many, many years and started a couple of very prestigious law firms. After his tenure as Governor, he became president of Duke University and served there for some 15 years. It was a great school, a great university when he went there, but the changes, the improvements, the expenditures, the endowment, the doubling of the medical center all transpired and took place under the leadership of Terry Sanford as president of Duke. It became an internationally recognized university under his tenure.

He came to the U.S. Senate and left an admirable record here with many initiatives that he sought and worked toward. One of them is something we are still working on today, and that is to ensure the future and fiscal stability of Social Security.

Senator Sanford was married to Margaret Rose, his wife of 55 years. They had two children, Terry, Jr., and a daughter Betsy.

North Carolina and the Nation are better places today for all of us to live in because of men like Terry Sanford and because of Terry Sanford and his vision and tenacity to carry it forward. The country will miss him, the State will miss him and I will miss him as a friend.

Mr. President, I believe I said this, but I will note that all 100 Senators have joined me in cosponsoring this resolution.

Are there any other Senators wishing to speak?

Mr. KENNEDY. Will the Senator yield?

Mr. FAIRCLOTH. I yield the remainder of my time.