

Similar sentiments are heard in other fire's-edge towns. In Ormond Beach, on the Atlantic Coast, Tim Curtis has turned his restaurant, Houligan's, into a veritable arcade for firefighters, offering everything from massages to haircuts.

Here in DeLand, firefighters are astonished at the massive outpouring.

"I've never been to a place where their towns are burning down and they're worried about us," said Mike Caldaro, a firefighter from western Florida just back from a 23-hour workday.

He is one of 200 firefighters staying at Stetson University, which opened its dormitories for firefighters. His colleague, Edward Osborne, fought fires so hot they melted his thermal boots. When he went to Wal-Mart to buy more, the cashier handed back his money.

"She gave me my boots and she gave me a hug. I needed both," Osborne said.

Mark Puhl, a firefighter from Nelsonville, Ohio, who arrived in DeLand with a relief crew Saturday night, got an early taste of the appreciation.

"Usually response like this comes through toward the end of a job," he said. "But we had people in the airport thanking us in advance."

His colleague, Lea Ann Parsley of Granville, Ohio, understood. The wildfires she typically fights are in sparsely populated areas out West.

"We're usually protecting timber," she said. "Here we're protecting people's homes. It hits home a lot more."

Mr. GRAHAM. Mr. President, I am very pleased that the President of the United States is going to Florida today, meeting with the victims and thanking the firefighters for their valiant effort.

Mr. President, I have lived in Florida for more than sixty-one years.

In that time, I have never observed wildfires as widespread and unmanageable as those that have plagued our state for the last forty-four days.

On behalf of over 14 million Floridians, I offer my deepest thanks to the thousands of Americans who have voluntarily left their homes and risked their lives so that our state's fire victims might not lose theirs.

They are true heroes, and all of us who proudly call Florida our home are forever in their debt.

Thank you, Mr. President.

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, I yield to the Senator from Kentucky for the purpose of a unanimous consent request.

Mr. MCCONNELL. I thank the Senator from Vermont.

#### UNANIMOUS CONSENT AGREEMENT—S. 2282

Mr. MCCONNELL. Mr. President, this agreement has been cleared on both sides.

I ask unanimous consent that at 2 p.m. today the Senate proceed to the consideration of S. 2282, which is at the desk, and it be considered under the following agreement:

Two hours on the bill to be equally divided between myself and Senator

BIDEN, or our designees; that no motions or amendments be in order except those agreed to by both managers; and that following the conclusion or yielding back of time, the bill be advanced to third reading and the Senate proceed to vote on passage of the bill, all without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. I thank the Senator from Vermont.

Mr. DODD addressed the Chair.

Mr. DODD. Mr. President, I will proceed as I started earlier. I apologize to my colleagues for the minor interruption. I wanted to make a correction on that unanimous consent agreement.

#### HIGHER EDUCATION AMENDMENTS OF 1998

The Senate continued with the consideration of the bill.

Mr. DODD. Mr. President, There are few pieces of legislation as important to American families as the bill we take up today—the Higher Education Amendments of 1998.

I have been pleased and honored to work with the chairman and the ranking member of the Labor and Human Resources Committee, and with Senator COATS of Indiana to put this bill together over the last year. I appreciate the tremendous effort of Senator JEFFORDS, Senator KENNEDY and Senator COATS on this bill, which is going to move I think rather expeditiously. There will be some amendments, but it is a tribute to the efforts of the membership of this group and their staff that we have reached a point where we have this very, very important piece of legislation that has achieved as much harmony as it has. So I begin these brief remarks by commending them and the staff members who have put this bill together. And, together, we bring to the floor today a strong, bipartisan bill—a bill that American families need and deserve.

Mr. President, America has long been known as the land of promise. We take great pride in that as Americans. Those words are used at every national holidays—"a land of promise." I think the foundation of that promise has been, during the more than two centuries of our existence as a nation, education. A democracy as complicated, as sophisticated, and as subtle as ours could not succeed without an educated population. Education is also the root of our economic strength. Without an educated population, you cannot remain on the cutting edge of industry and business.

I think any successful national endeavor you talk about, Education is a critical factor in its success. It is the central theme that has created the kind of opportunity and success this Nation has enjoyed for so many years—particularly, I would add, higher education. This is no secret. Parents recognize that their child's success is, in

no small measure, dependent on his or her educational achievement. Statistics bear this out. A person with a college degree earns twice as much as one with just a high school education.

But this issue is not only a concern of families. Higher education has also, as I said a moment ago, defined and shaped America's economy in the post-World War II era. Our economy has grown on the strength of knowledge-based, highly skilled industries and workers. This would not have been possible without our unparalleled network of universities and colleges and our Federal commitment to ensuring access to these institutions of higher learning.

Since the GI bill, millions of Americans have been able to attend college because of the assistance of their Federal Government. Today, in fact, 75 percent of all student aid is Federal.

Unfortunately, families increasingly worry that college is slipping beyond their grasp as college costs rise and student debt mounts. Studies suggest that even with the nearly \$35 billion of Federal aid available each year, affordability is a significant factor for those at all income levels. For middle-income families, college costs are shaping students' decisions about where to attain their higher education and what type of careers they intend to pursue. For the neediest of students in our country, affordability of education is already affecting the fundamental decision of whether to attend higher education at all.

We cannot discuss the Higher Education Act, which is centrally about ensuring access to higher education, without discussing cost. I firmly believe that the choice of an institution, the choice of a career, and the choice of whether to attend college at all should not be based alone on the issue of cost—and for too many families today, it is.

Let's face it. Families are increasingly unable to cope with the cost increases that we see in higher education. According to a survey conducted by the American Council on Education, the public worries a great deal about the cost of attending college. They believe that college is too expensive, and they think that the cost can be brought down without affecting academic quality.

When asked what concerned them most about their children's well-being, respondents across this country in all income groups ranked paying for college as the second biggest concern. Their largest concern was use of illegal drugs. But right behind that was the cost of a higher education.

Today, 4 years at one of our Nation's leading colleges can easily total well over \$120,000. Estimates are that the family of a child born today who might enter college at age 18 in the year 2016 could easily be looking at a cost of well over \$250,000 for 4 years of college education at one of our nation's leading universities. In nearly all families, a

letter offering financial aid is as, if not more, important than the actual letter of accepting the student into the college of their choice.

In the last 20 years, from 1977 to 1997, college costs—tuition, room and board—rose by an astounding 304 percent. During the same period, inflation rose by roughly half that figure, 165 percent. Let's look at just the tuition over the last 10 years.

Mr. President, I want to refer to a chart that will maybe help explain this a bit more graphically. As this chart indicates, while inflation between 1987 and 1996 rose by 38 percent, public 4-year college education rose 132 percent; private 4-year institutions went up 99 percent; and public 2-year institution's cost rose 85 percent.

Again, I come back to the Consumer Price Index. It went up 38 percent, and yet you see in tuition and fees rose at a significantly higher rate in every area of higher education, public and private, 2- and 4-year institutions as well.

As a result of these increases in the price of attending college, more and more students and families are going into debt in order to finance postsecondary education.

We take the first important steps in this bill, in my view, to make sure that the serious problem of rising college costs does not create a new class of haves and have-nots in terms of access to postsecondary education.

In particular, we have adopted many of the recommendations of the Cost of College Commission formed by Congress last year. We streamlined regulatory requirements that may contribute to those costs. Most importantly, we adopted strong new disclosure requirements to assist families and policymakers with cost issues.

Mr. President, let me tell you, we come back year after year to this bill and this issue. And we do what I think we ought to do—we increase the financing for Pell grants, which has been of tremendous help to millions; we try to deal with student loan issues and make these necessary burdens easier to bear.

The Senator from Massachusetts, who knows this as well as anyone in this chamber, will tell you that he recalls it was not that many years ago when we had, in overall terms, 80 percent of our aid in grants; most students did not acquire debt as well as a diploma. We assisted students because we thought it was the right thing to do; there was a direct investment coming back. And 20 percent of our assistance to students was in the form of loans.

Today, those numbers are reversed. Students now rely on loans for over 80 percent of their aid. And so we come back each year. We get involved in the student aid issue, the Pell grant issue, a lot of other factors. At some point, we have to come back to these institutions and say: Look, how does it happen? How is it that the Consumer Price Index goes up 38 percent and yet your public 4-year institution has risen 132

percent in the same 10-year period, in 20 years up 304 percent, as opposed to a CPI number of 165 percent?

We can't come back here every 5 years and continue to monkey around with the student loan issue and to continue to try to come up with ways to meet the needs here as we watch debt accumulate and students making the choice to not go to college. We are seeing that today with a lot of needy students. They just decide they can't take on the financial burden. What a great outrage, what a great loss to all of us.

So I am not suggesting there is any simple answer to this question, but one of the things that I like so much about this bill we have put together is that we are going to take a really hard look at this for the first time. This is not to suggest there may be some very clear answers as to why costs are rising. But this bill will finally help answer this central question.

We take several specific steps in the key area. First, our bill ensures that families will have the information they need to become good consumers when it comes to higher education. Today, you may be able to find cost figures for different institutions, but often times they don't match up and are hard to compare. The American Council on Education survey also revealed that the public does not know how much financial aid is available to help pay college bills, where it does come from, or how to get it.

These new disclosure provisions will provide families with timely, reliable, and comparable information on college costs as well as the availability of financial aid and educational loans for students who attend each institution so that they can exercise their power as consumers to choose institutions that are of high quality and of reasonable cost.

Secondly, Mr. President, the bill requires new information for policymakers on costs, including trends across and within sectors. Over the next few years, the National Center for Education Statistics will conduct a national study to examine how expenditures at institutions of higher education change over time, how such expenditures relate to college costs and ultimately the price of tuition for students. This study will attempt to explain why the price to obtain a higher education for each student has increased so much faster than the price for the institutions to provide an education for each student. Let me explain it in this chart here, if I can. From 1987-1997, the price for a public institution to instruct each student increased by 57 percent, but during that same period of time the price for each student to attend a public institution increased by 132 percent.

It is critical that this grave disparity be explained before policy makers can adequately address the issue of containing college costs.

Finally, we ask the Bureau of Labor Statistics to establish a market basket

for higher education that will finally give us some clue as to what costs are reasonable.

These are crucial first steps that will help fill the knowledge gap on cost. But we must make sure these disclosure provisions work. The committee adopted an amendment that I offered to ensure that there are strong enforcement tools, such as a \$25,000 fine to ensure that institutions cooperate in providing accurate information. Again, I don't have any reason to believe they won't. I am confident these institutions will want to participate in this kind of analysis. But just in case there are some who are reluctant, a little incentive is not a bad idea.

These provisions on college costs put colleges on notice that we are watching and we are not going to let pricing policies put college beyond the reach of too many Americans. It is far too important to them and, quite candidly, as has been said before, it is vitally important to all of us in this Nation.

This legislation also strengthens Federal financial aid programs which are lifelines to families who struggle with cost increases. We authorize an increase in the maximum Pell grant award and hope the appropriators and the budget committees will follow through with adequate funds. We also adjust the treatment of the neediest students' earnings to ensure that their families are not penalized in the award of aid because the students work, as I recommended in earlier legislation. We also expand campus-based aid programs like College Work-Study and low-cost Perkins Loans, to reach more students. We improve Federal student loan programs, providing extended repayment periods for students with large loan balances and by giving colleges more tools to help their students avoid expensive loans.

Most significantly, students are also guaranteed a substantially lower student loan interest rate. As the average debt of a student mounts to nearly \$12,000 on average across the country, the relief that this nearly 1 point reduction in interest rates offers should not be undervalued. Again, I commend the chairman and the ranking Democrat, Senator KENNEDY, for being leaders on this issue and making a difference here that is going to save each student borrower in my State an average of \$640. It could mean as much as \$3,200 to those students who borrow for graduate and professional degrees. But for a family trying to make ends meet, \$650 a year for a student loan is a lot of money. This will make a big, big difference.

Not surprisingly, the issue of student loan interest rate has been the most controversial and closely followed issue in this bill. I am very pleased that the solution we put forward today ensures that students will receive the long-term benefit substantially lower rates. However, I am disappointed that this bill expects taxpayers to bear much of the cost with a new subsidy to

banks. I am unsure whether subsidizing the banks' returns on student loans is ultimately the best way to ensure affordability for our nation's students.

The legislation also takes important steps to address the needs of non-traditional students, whose participation in higher education is rising at an impressive rate.

We include new authority for the Secretary to explore the potential of distance learning. In the past, distance education too often meant correspondence courses with little merit and high cost. Today, the Internet, the World Wide Web and other emerging technologies offer new opportunities for quality, interactive learning right from a student's home. However, current law provides little opportunity for institutions and their students to explore these exciting opportunities. This bill broadly expands these opportunities and directs the Secretary to undertake and carefully monitor a demonstration program in distance education. I think this provision will be vitally important in meeting the needs of nontraditional students pursuing higher education.

The bill also includes another important initiative to increase access to post-secondary education—the Child Care Access Means Parents in Schools Act, which I authored with Senator SNOWE. This bill will support campus-based child care centers meeting the needs of those nontraditional students who have children of their own. The face of college has changed. One of the key obstacles many of today's students face is locating affordable, quality child care. Campuses are a key place to meet this need. In Connecticut—I am sure it is true across the country—when you visit good college campuses, you find they build child care centers right into the campus design. This initiative will help strengthen these efforts and expand the reach of these critical programs.

Finally, this bill addresses the training of teachers. Colleges, of course, are our Nation's laboratories for teachers. This bill offers significant new support in this area. We have all worked hard to resolve the competing concerns and differing approaches, and the result, I believe, is a strong, comprehensive teacher training program that support state level initiatives and local partnerships. This two-track approach will ensure that colleges and schools that work together to improve teacher training will be rewarded at the state level with recognition for achieving higher standards. In another important initiative for teachers, this bill offers loan forgiveness for teachers working in high poverty schools. This effort will provide high qualified teachers with a powerful incentive to share their talents, skills and knowledge with the neediest children.

Beyond bringing student aid programs in line with today's realities, we take a key step to modernize and to improve the crucial student aid programs with the creation of a Perform-

ance-Based Organization within the Department of Education. This office will administer and deliver all Federal student aid. At nearly \$35 billion a year, the complexity of this undertaking demands talent, energy, experience, and performance. This PBO, this Performance-Based Organization, will, I believe, ensure the Secretary of Education can recruit the best people for this job and retain them based on their performance.

It is not a perfect bill. That probably has been said by others. But it really is a very sound effort to deal with cost and shore up federal financial assistance, to deal with the issue of the non-traditional students, and to deal with the issue of teaching in our country. It sets us on the right road for the 21st century—putting in place strong federal policy to help make the promise of higher education a reality for more American families.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from New Hampshire.

Mr. KENNEDY. Will the Senator from New Hampshire yield for a brief observation for a minute or two?

Mr. GREGG. Without losing the floor, I will yield to the Senator from Massachusetts.

Mr. KENNEDY. For purposes of Members' schedules—perhaps after the Senator from New Hampshire, to indicate—we have a number of our colleagues here who have been very, very cooperative, working with the leadership to try to bring their amendments up. They have been working with us so we could move this along. Now it will be set aside from 2 o'clock to 4. That includes the Senator from California, Senator FEINSTEIN, with whom we have worked. We want to be able to accept her amendment; Senator GRAHAM as well. Senator WELLSTONE is prepared to move on ahead.

I hope, just without asking consent—I will, if I might, ask that, if it is agreeable with the manager—I don't want to foreclose the process of moving back and forth—but it would seem, if it was agreeable to the floor manager, after the Senator from New Hampshire is recognized that we move ahead with the Senator from California, the Senator from Florida, and then the Senator from Minnesota, if that is agreeable?

Mr. GREGG. I yield to the Senators who are managing the bill for purposes of addressing this issue, but I note I am aware the Senator from Indiana also wishes to speak.

Mr. JEFFORDS. Mr. President, I would just say I want to expedite the movement of the bill by all possible means.

The people who are here should be recognized in an appropriate order, and I have no problem with the suggestion that was made. My good friend from New Hampshire has worked so long and hard on this bill and has been an important factor in getting this to a position where it can be expeditiously

passed. I look forward to listening to his statement first.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire—

Mr. KENNEDY. Can I ask that as a unanimous consent request?

Mr. GREGG. I yield for purposes of propounding a unanimous consent request.

The PRESIDING OFFICER. Did the Senator from New Hampshire yield?

Mr. GREGG. Solely for the purpose of asking consent.

The PRESIDING OFFICER. Is there objection to the unanimous consent request made by the Senator from Massachusetts?

Mr. WELLSTONE. Reserving the right to object.

Mr. KENNEDY. Mr. President, I object. I withdraw it. I withdraw it.

The PRESIDING OFFICER. The request is withdrawn. The Senator from New Hampshire.

Mr. GRAHAM. Mr. President, will the Senator from New Hampshire yield for a unanimous consent request for floor privileges?

Mr. GREGG. I will yield to the Senator from Florida to make a unanimous consent request.

The PRESIDING OFFICER. The Senator from New Hampshire yields with the understanding that he retains the floor.

#### PRIVILEGE OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent that a congressional fellow in my office, Neymi Aponte, and three interns, Gilberto Sanchez, Rachel Milstein and Jennie Beysolow, be allowed the privilege of the floor for the duration of this speech.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I rise in support of this bill and also to express my appreciation and respect for the leaders of this committee in developing this bill. I know Senator JEFFORDS, Senator KENNEDY, Senator COATS and Senator DODD have spent an immense amount of time on this and have done an extraordinarily good job of pulling together a strong bill which will ensure we continue a major commitment—a very significant commitment—to those people in our Nation who are attending school and use Federal resources to assist them in attending school.

We understand rather well that our Nation, especially in the New England region, depends, for our energy and our productivity, on basically people's creativity and their brain power. In New Hampshire, for example, we don't have any natural resources that produce great wealth, such as oil or large farmlands or mineral deposits. Our great natural resource in our State, and much of this country, is the wonderful minds of the people who work in our State and who produce products and, as a result of producing those products,

which are competitive around the world, create prosperity, jobs and a good lifestyle.

The key to that, of course, is quality education, and first-class education depends on having students who have the ability to pick and choose among colleges and are able to afford the college of their choice to attend. In order to accomplish that, they have to have support, in many instances.

As the Senator from Connecticut so precisely outlined, the cost of quality education is going up dramatically, much faster than the price of most products in this country; in fact, almost 100 percent faster than the cost-of-living index over the last few years.

What is driving that cost, we are not absolutely sure. There are many of us who have opinions on it, but we are not sure. One thing we know is because those costs are going up quickly, it is becoming harder and harder to pay for college education. This bill is an attempt to address that and make sure students have available to them the resources necessary for a first-class college education.

As has been alluded to—this bill is filled with a lot of excellent ideas and many have already been outlined—but as has been alluded to, the core issue, the most important provision in this bill is the change in the student loan interest rates. Students who want to receive a higher education but must take out loans to do so will have a better chance in succeeding when they get out of school because the cost of paying back those loans will be less because the interest rates will have been cut, and that is a major step, a positive step in the right direction.

In addition to cutting the rates, we also cut the amount the Federal Government pays to support the lenders who supply the loans. As you know, lenders currently make very little money on student loans—many people know this, anyway—and the high cost of administration, however, that is tied to student loans has been reduced in this bill and, as a result, we not only cut the rate that it costs students to borrow money to go to college but we also cut the actual amount that lenders are going to make.

The big debate was whether or not we would cut it even further. The issue really wasn't whether or not these costs of administration should be cut further, the issue really came down to a question of whether or not we were going to shift from a system which had two competing arenas in which you could get a loan—a direct loan from the Federal Government or private loan from a private lender, to a single provider of loans—basically the Government.

For those of us who have seen the Government function under the Direct Student Loan Program, we have seen a dramatic and considerable risk to the entire loan portfolio, the ability of students to get loans if they were only given the option of going to the Fed-

eral Government. We wanted to make sure that this adjustment in loan rate was done in a way that maintained the viable private market.

In New Hampshire, for example, 96 percent—96 percent—of all the students go through a private loan process rather than through the direct loan process. So you can see that if a direct loan is their only avenue, it will actually create chaos. We know that to be a fact. Just last year when the Direct Loan Program was gearing up and was supposed to be ready and able to take care of the amount of activity that was being applied under the Direct Loan Program, we in the Congress had to pass an emergency bill to basically bail out the Direct Loan Program of the Federal Government which was already in chaos even though it hadn't even gotten up to, I think, much more than 25, 30 percent at that point in student loans, which is approximately where it is right now.

We know for a fact that the Direct Loan Program has some serious, serious problems. Not only that, but we are seeing that some of these problems, independent of the fact that they simply can't handle the volume of loans that will occur were the private sector driven out of the market, part of these problems are tied to their administrative activity.

The cost of the administration in the Direct Loan Program has gone up dramatically. By "administration," I am talking about compensation, travel and operational costs. It has gone up almost 143 percent, I believe is the number, even though the number of loans have only gone up by something around 35 percent during this same period.

The increase in the administrative overhead is a classic example of what happens, of course, when you have a Federal agency involved, when there is very little accountability in the area of administrative overhead and you have a huge bureaucracy which is dominated not by a desire to be efficient, but by a desire basically to create work, in many instances, and to be an agency which covers itself on every issue and creates bureaucrats for purposes of watching bureaucrats.

The whole issue in this bill, or the core issue in this bill was how we were going to balance private loan programs with the Direct Loan Program. We did finally reach an understanding on that, and it is a reasonable understanding. It is going to cost us money, but, in the end, it will allow us to give to students the most important item, which is a lower interest rate, and at the same time maintain a competitive marketplace where there will be pressure on the Federal Government's program, the direct lending program, to be more efficient because it will be competing with the private sector programs which have to be efficient in order to survive. That is a very big plus that that decision was made in this way.

There are a couple of other issues that were put into this bill I was ac-

tively involved in, and I want to address also one the Senator from Minnesota brought to our attention. That was the violence on campuses, especially directed at women. He had an amendment in committee that addressed this and created a program authorizing, under the Violence Against Women Act, \$10 million to be set aside for the purposes of looking at the problem we now have on colleges.

Unfortunately, it is a serious problem. It has been seen here in the Capital region and the University of Maryland. I doubt there is a major college in this country that has not experienced a series of violent acts relative to women on campuses.

So not only did the Senator from Minnesota bring the idea forward, but it seemed to me to be such a good idea in the appropriations bill which I fund, we are going to be funding the idea. This may be the fastest funded authorization that has happened around here in a long time. But there will be \$10 million spent relative to violence against women on campuses.

Another issue which is in this bill that I think deserves some mention is the fact that it addresses the issue of the use of drugs by students. The Senator from Connecticut was accurate. He said, in polling parents, the concern of the cost of education was listed as their No. 2 concern relative to how they are going to handle their children when they are growing up. He also mentioned that the No. 1 concern is if their children will become involved with drugs, and illegal drugs specifically.

This bill reflects that concern. It says that taxpayers should not be carrying the burden of supporting a student who has taken the irresponsible activity of using and being found to be guilty of using an illegal drug. Basically, it says that if you are caught using an illegal drug, and you are convicted of using an illegal drug, then you lose your eligibility for a student loan—on a first offense for 1 year; on a second offense for 2 years; and on a third offense indefinitely.

You can avoid this if you, as a student, go through a properly approved, satisfactory drug rehabilitation program. And the Secretary has the capacity to set up the regulations as to what will be a satisfactory drug rehabilitation program. So you can mute the effect of this, but essentially it sends a very clear message to students that if they are going to obtain the benefit—having the taxpayers of this country support them when they are in college through giving them basically a subsidized loan—then they are going to have to be responsible in the manner in which they pursue their academic careers and not use illegal drugs. This is, I think, a major step forward in delivering the correct philosophical position on the question of using drugs.

So this, on balance, is a good bill. It moves in the right direction. It confirms and energizes and reinforces programs which have proven to be extraordinarily successful. Again, I congratulate the leadership of the committee for bringing it forward.

I yield the floor.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 3107

(Purpose: To provide the Secretary of Education with discretionary authority to extend, on a case-by-case basis, Federal Pell Grant aid to teaching students enrolled in postbaccalaureate courses required by State law for teacher certification)

Mrs. FEINSTEIN. Mr. President, I join with those who have congratulated the committee for what I consider to be really a fine higher education bill. I want to extend my personal congratulations, representing Californians, both to the chairman and the ranking member of this committee.

This is a bill that really meets the needs of the day with respect to higher education. And I think we can all, hopefully, support it with great pride and enthusiasm.

I have been very involved in education in California because I have seen this great State, once in the lead, sink to below mediocrity in terms of its K-through-12 education system. And there are many reasons for it that the Federal Government cannot control, decisions that have to be made by the State itself, such as eliminating social promotion, setting specific standards of achievement for students in each of the grades, no-nonsense tests, remedial programs, and so on. But one thing the Federal Government can do is provide funds to help with the development of good teachers. And that is what this bill does and does so well.

I want to bring to the attention of the Senate one anomaly which the amendment I am about to send to the desk seeks to address. And that is that in the Pell grant program, there are two States that require a 5th year of teacher education. One of those States is New Hampshire; the other State is California. New Hampshire provides the 5th year before the baccalaureate degree and California requires the 5th year after the baccalaureate degree, ergo, California's higher education students are not currently eligible for Pell grants. And so, if I may, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself and Mrs. BOXER, proposes an amendment numbered 3107.

The amendment is as follows:

On page 417, line 17, insert "(i)" after "(B)".

On page 417, line 19, insert "or clause (ii)" after "subparagraph (A)".

On page 417, line 23, strike the end quotation marks and "and".

On page 417, between lines 23 and 24, insert the following:

"(ii) Notwithstanding subsection (a)(1), the Secretary may allow, on a case-by-case basis, a student to receive a basic grant if the student—

"(I) is carrying at least ½ the normal full-time work load for the course of study the student is pursuing, as determined by the institution of higher education; and

"(II) is enrolled or accepted for enrollment in a postbaccalaureate program that does not lead to a graduate degree, and in courses required by a State in order for the student to receive a professional certification or licensing credential that is required for employment as a teacher in an elementary school or secondary school in that State, except that this subparagraph shall not apply to a student who is enrolled in an institution of higher education that offers a baccalaureate degree in education."; and

Mrs. FEINSTEIN. I thank the clerk.

Mr. President, this amendment is sent to the desk on behalf of Senator BOXER and myself. Essentially, what this amendment would do is authorize the U.S. Secretary of Education to award, on a case-by-case basis, Pell grants for students taking a 5th year of postbaccalaureate teacher education courses in order to get a teaching credential in a State that requires a 5th year.

This was brought to my attention, Mr. President, by the new chancellor of the California State University, Dr. Charles B. Reed. I want to just read an opening paragraph.

When I came to the California State University in March of this year, I established as a top system priority strengthening and improving the quality of our teacher preparation programs. Over the next decade, in California alone, we will need an additional 250,000 new K-12 classroom teachers. In addition to our changing demographics, the shortage of teachers in California is particularly acute due to the State's classroom size reduction initiative. . . .

The Governor of our State has quite rightly determined that K through 3 should have class sizes of not more than 20 students per teacher. This is a real improvement and, of course, it will mean that more teachers will be necessary in the future. Additionally, there is an extraordinarily large number of teachers who are due to retire over the next 10 to 20 years.

Mr. President, I ask unanimous consent to have that letter printed in the RECORD at the end of my statement.

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

(See Exhibit 1.)

Mrs. FEINSTEIN. So the amendment simply authorizes the U. S. Department of Education, on a case-by-case basis, to award a Pell grant to a needy student that wants to get a teaching credential, but needs that 5th year required by the state. We all know that even 4 years of college is costly, and many students cannot afford it. That is the rationale, the purpose, and the foundation of the Pell Grant program.

Well, if you cannot afford 4 years, you likely cannot afford a 5th year. Therefore, we lose teachers because young people cannot afford that 5th year. And it is one of the reasons why today in California we have 21,000

teachers who are not credentialed. This would permit, on a case-by-case basis, a Pell grant to be granted to a needy student for that 5th year.

These students in California would get a bachelor's degree in an academic subject, such as biology or French or whatever it is, and then take a 5th year in teacher education. That 5th year consists of learning teaching methods and of student or practice teaching.

The American Council on Education, a consortium of all the higher education groups, has said, "These students [in California] who want to teach are unfairly caught in a state requirement 'catch-22' and should not be penalized as a result."

One of the central purposes of the higher education bill is to strengthen teacher education. And it is long overdue; and it is well met by this bill. I think we can all be very proud of the vote we will cast.

Title II authorizes new grants to States and to institutions to reform and toughen teacher training. Once again, California may well be leading the way because requiring this fifth year is also a good way to strengthen teacher education.

According to the National Commission on Teaching, each dollar spent on improving teacher qualifications nets greater gains in student learning than any other use of the education dollar. This study and others have found that teacher quality is very uneven through this country. Just last week, in the ranking member's State, Massachusetts, the state Board of Education said that 56 percent of their teachers failed the State's first basic reading and writing test for teachers. Nationwide, over one-quarter of newly hired teachers lack the qualifications for their jobs according, again, to the Teaching Commission.

Studies also show that unprepared or underprepared teachers simply don't stick it out. They are more likely to leave teaching after a few years. In my State, California, 30 percent of the teachers leave after their first 2 years; after 5 years, almost half of California's teachers have left. A November 1997 report of the California Advisory Panel on teacher education found in hard-to-staff schools as many as half of all beginning teachers leave teaching permanently after only 3 years in the classroom. That is shocking to me. Among underprepared teachers, this attrition rate climbs to two-thirds. What this is saying is that if a teacher isn't prepared, doesn't have the qualifications, doesn't have the teaching skills and aptitude, two-thirds of them leave within 3 years. This undermines education.

There is a precedent for the approach of this amendment. Congress gave the Secretary the authority to award year-long Pell grants, similar to what this amendment does, in 1992.

I want just quickly to make a few other comments on the teacher shortage and why this amendment is important. We have, as I said, 21,000 teachers

in California on emergency credentials. That is 1 out of every 11 teachers. Half of California's math and science teachers didn't minor in those subjects in college, but they are still teaching. That is wrong. In Los Angeles, according to a U.S. News & World Report article last October, "New teachers have included Nordstrom clerks, a former clown, and several chiropractors."

This is a situation that shouldn't exist. It exists because there are not enough teachers. Therefore, emergency credentials are granted and these credentials can go on for 10 or 15 years and be granted to people who are really not qualified to teach. They are certainly not credentialed to teach.

The need for good teachers is exacerbated by the fact that we need these new teachers in the next decade because public school enrollment in California is growing at triple the national rate. In California, the need for new teachers is triple the national rate.

I am hopeful that this amendment would be accepted by this Senate.

The amendment is going to be particularly helpful to prospective teachers enrolled at California State University. This is an institution today which prepares 60 percent of my State's teaching force. At this university, 48 percent of the students are Pell-grant eligible and the average Pell grant is \$1,200 to \$1,500. The University of California has 1,200 candidates for a teaching credential each year, and one-third are eligible for Pell grants. Thus, 400 UC students could benefit from a fifth year Pell grant each year.

Essentially, this amendment is going to encourage more needy students to stick it out, to get that teaching credential, to do that fifth year at the university. That means that our young elementary and secondary students are going to be better served because they will have a teacher in the classroom who is qualified to teach. I, frankly, believe and would propose and urge the California Legislature to eliminate all emergency credentials by the year 2005 and be able to provide that the California teacher corps, K-12, is essentially 100 percent credentialed. But they will not be able to get there unless this body is willing to pass this amendment today.

Again, in summary, California requires a fifth year. These students are not eligible for Pell grants for the fifth year. Forty-eight percent of the students who would go into teaching need these grants. We need 250,000 new teachers. We currently have 21,000 teachers teaching who are not qualified to teach, who are teaching on so-called emergency credentials. The quality of education, its excellence and its accountability, I believe, will be heightened by this amendment.

I thank both the chairman and the ranking member. I am hopeful you will accept the amendment.

I yield the floor.

# EXHIBIT NO. 1

THE CALIFORNIA STATE UNIVERSITY,  
Long Beach, CA, July 8, 1998.

Hon. DIANNE FEINSTEIN,  
U.S. Senate, Washington, DC.

DEAR SENATOR FEINSTEIN: When I came to the California State University in March of this year, I established as a top system priority strengthening and improving the quality of our teacher preparation programs. Over the next decade, in California alone, we will need an additional 250,000 new K-12 classroom teachers. In addition to our changing demographics, the shortage of teachers in California is particularly acute due to the State's classroom size reduction initiative, together with the large number of teachers who are expected to retire over the next 10-20 years.

As you know, one in eleven California teachers is teaching under an emergency certificate or waiver. Although the State of California requires that prospective teachers complete a 5th year of classroom preparation and pedagogy following receipt of their baccalaureate degree in order to become fully credentialed, these 5th-year students—who are considered neither undergraduate nor graduate students—lack access to federal grant aid. Your Pell Grant amendment to S.1882 would go a long way to encourage financially needy students to persist in their studies so that they may become fully certified to teach in California's K-12 schools—rather than deferring completion of their requisite 5th year while teaching under an emergency certificate.

Indeed, those who enter the classroom without the necessary preparation are more likely to permanently leave the profession. In its November 1997 report to the California Commission on Teacher Credentialing, the Advisory Panel on Teacher Education, Induction and Certification for Twenty-First Century Schools states, "In many hard-to-staff schools, as many as half of all beginning teachers leave teaching permanently after only three years in the classroom. Among under-prepared new teachers, this attrition rate climbs to two-thirds."

On behalf of the California State University, which prepares more than half of the 18,000 new teachers credentialed in California each year, I wish to express my appreciation for your efforts to ensure that California's 21st Century teachers have access to the federal financial assistance they need to become fully prepared to provide all of California's children with the quality education they deserve.

With kind regards,

Sincerely,

CHARLES B. REED,  
Chancellor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. First of all, I thank the Senator from California for working closely with us in order for us to help out the State. I understand the special circumstances involved in the State of California makes it different than the other 49 States in this regard, but the amendment has been carefully crafted so that it is acceptable to this side of the aisle.

We believe they should have the opportunity to provide Pell Grant assistance in the fifth year, which is generally seen, perhaps, now, as a necessary aspect of getting the teachers fully qualified for many of the areas they teach.

I have no objections on this side of the aisle to the amendment. It is ac-

cepted as far as the majority is concerned.

The PRESIDING OFFICER (Mr. GRAMS). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I urge we accept this amendment. It is basically completely consistent with what we are attempting to do with the legislation; that is, to put a high priority on enhancing teacher training and the qualification of teachers and enhance educational background for teachers. That is what this program is directed towards with the program that has been fashioned and shaped in California.

This is basically not a graduate school program. It is just a continuation of a program that happens to take 5 years. There is an issue of whether we want to use the Pell funding for graduate education. I think those are policy issues that deserve a good deal of consideration, but this really doesn't fall in that category. It falls into a category where we are getting a very advanced kind of training program for young people who are going into teaching. This lasts over more of an extended period of time than in other parts of the country. This amendment is fashioned and shaped on a case-by-case method to make sure the program is going to be contained and targeted in ways that are absolutely consistent with the legislation.

I welcome the opportunity to urge our side to accept the amendment, and I thank the Senator from California for bringing it to our attention. Obviously, we didn't want those young people disadvantaged. We are, again, talking about needy students who will have gone to school for a long period of time. These are extraordinary young men and women who will continue over the fifth year to be eligible for Pell Grants. These are people who are really dedicated and committed. In terms of teaching, I think they are a unique group of young people. We certainly should not discourage them from their careers in education.

I urge the Senate to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3107) was agreed to.

## AMENDMENT NO. 3109

(Purpose: To amend section 485(f) of the Higher Education Act of 1965 to increase public awareness concerning crime on college and university campuses)

Mr. JEFFORDS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. JEFFORDS], for Mr. SPECTER, proposes an amendment numbered 3109.

The amendment is as follows:

On page 550, between lines 16 and 17, insert the following:



(4) in paragraph (6) (as redesignated by paragraph (2)), by amending subparagraph (A) to read as follows: “(A) For purposes of this section the term ‘campus’ means—

“(i) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution, including a building or property owned by the institution, but controlled by another person, such as a food or other retail vendor;

“(ii) any building or property owned or controlled by a student organization recognized by the institution;

“(iii) all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, that is adjacent to a facility owned or controlled by the institution;

“(iv) any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution; and

“(v) all dormitories or other student residential facilities owned or controlled by the institution.”;

On page 553, line 25, strike the end quotation marks and the second period.

On page 553, after line 25, insert the following:

“(10)(A) The Secretary shall report to the appropriate committees of Congress each institution of higher education that the Secretary determines is not in compliance with the reporting requirements of this subsection.

“(B) The Secretary shall provide to an institution of higher education that the Secretary determines is having difficulty, or is not in compliance, with the reporting requirements of this subsection—

“(i) data and analysis regarding successful practices employed by institutions of higher education to reduce campus crime; and

“(ii) technical assistance.

“(11) For purposes of reporting the statistics described in paragraphs (1)(F) and (1)(H), an institution of higher education shall distinguish, by means of separate categories, any criminal offenses that occur—

“(A) on publicly owned sidewalks, streets, or other thoroughfares, or in parking facilities, that are adjacent to facilities owned by the institution; and

“(B) in dormitories or other residential facilities for students on campus.

“(12)(A) Upon determination, after reasonable notice and opportunity for a hearing on the record, that an institution of higher education—

“(i) has violated or failed to carry out any provision of this subsection or any regulation prescribed under this subsection; or

“(ii) has substantially misrepresented the number, location, or nature of the crimes required to be reported under this subsection, the Secretary shall impose a civil penalty upon the institution of not to exceed \$25,000 for each violation, failure, or misrepresentation.

“(B) Any civil penalty may be compromised by the Secretary. In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of the penalty to the size of the institution of higher education subject to the determination, and the gravity of the violation, failure, or misrepresentation shall be considered. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the institution charged.

“(13)(A) Nothing in this subsection may be construed to—

“(i) create a cause of action against any institution of higher education or any employee of such an institution for any civil liability; or

“(ii) establish any standard of care.

“(B) Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with this subsection shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce this subsection

“(14) This subsection may be cited as the ‘Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act’.”.

Mr. JEFFORDS. Mr. President, I offer this amendment on behalf of Senator SPECTER. I believe it is an excellent amendment.

First of all, I commend Senator SPECTER for the tremendous work he has done in the field of education. And as chairman of the Appropriations Subcommittee that handles education as well as many other very difficult subjects, he has done an extremely capable job of ensuring a good balance in all of the programs he handles. I commend him and I am pleased to have him back with us in the Senate. He was unable to be here at this particular time, so I am offering this amendment on his behalf.

Mr. President, since the last reauthorization of the Higher Education Act, crime on our college and university campuses has continued to be a major concern. In a 1997 report on campus crime, the National Center for Education Statistics noted the following:

During each of the 3 years between 1992 and 1994, institutions reported a total of about 10,000 violent crimes and up to 40,000 property crimes. For 1994, the individual crime composition for violent crimes was about 20 murders, about 1,300 forcible sex offenses, 3,100 robberies, and 5,100 cases of aggravated assault. In the property crime category, institutions reported 28,800 burglaries and 9,000 motor vehicle thefts in 1994. In 1994, institutions reported about 20,400 arrests for liquor law violations, and about 7,200 arrests for drug abuse violations, and about 2,000 arrests for weapons possession.

From 1995 to 1996, for example, reports of murder, sexual offenses, and liquor- and drug-related violations for large universities increased substantially. It is not necessarily the case that crimes have gotten worse but perhaps that reporting has gotten better. Reports of crimes have continued to grow, but some institutions have still been less than diligent in accurately reporting campus crime statistics.

Every Member should be greatly concerned by these campus crime statistics. I am pleased that the Senate Labor Committee has made what I think are great strides in improving campus crime provisions in the 1998 Higher Education Act amendments. We have added to the list of crimes to be reported. We have enabled information about students’ criminal records to become publicly accessible. We have required institutions of higher learning to maintain daily logs of crimes on campuses. With the help of Senator TORRICELLI, we have strengthened the reporting of hate crimes on campuses.

With the assistance of Senators GREGG and WELLSTONE, we created a competitive grant program to help institutions of higher education develop and strengthen the effective security and investigation strategies to combat violent crimes against women on campuses.

The amendment being offered by Senator SPECTER today provides an absolutely essential addition to the campus crime provisions in the Higher Education Act. His leadership on this issue is much appreciated. With his meticulous crafting, he has substantially improved the definition of “campus” for the purpose of reporting campus crime statistics. When Senator SPECTER held his campus crime hearing, he discovered that if a crime was committed on a sidewalk within the perimeters of a university, that institution was not required to report the incident in their campus crime statistics. Obviously, the law needed clarification, and I applaud Senator SPECTER in his superb efforts. His efforts create a careful balance.

This amendment minimizes additional reporting burdens to institutions of higher education while at the same time providing students and other members of campus communities with needed information to help improve their awareness about campus security issues. Such information, for example, can be used to help people make more conscious decisions about walking alone in particular areas or making sure to walk with a friend on or near a campus at night.

This amendment makes four changes in the statute. As I mentioned, it modifies the definition of “campus” to include additional areas that must be included in campus crime statistics. It requires the Secretary of Education to report to Congress when institutions of higher education are not in compliance with campus crime reporting requirements. It gives the Department of Education the explicit authority to impose fines if institutions substantially misrepresent information about campus crimes. And it renames the campus crime section of the bill after Jeanne Clery, the woman who died tragically at Lehigh University in 1986 as a result of a brutal campus crime. The Clery family has been instrumental in creating a national awareness and focus on campus crime over the past decade. Both Senator SPECTER and I are indebted to their service in helping Congress craft these provisions.

Mr. President, it is my pleasure to offer this on behalf of Senator SPECTER. I ask for its adoption.

Mr. KENNEDY. Mr. President, I join in urging adoption of this amendment. The original campus security amendment was offered by Senator Bradley of New Jersey and myself some 6 years ago. This recognizes some of the areas where there have been loopholes in the interpretation of that amendment. Senator SPECTER has done good work in helping all of us to make sure that

we are going to have safe campuses. Students cannot learn unless they are have safe campuses. There are important loopholes that Senator SPECTER has identified and additional kinds of reporting requirements and a small enforcement mechanism, but an effective one. This is a good, solid amendment. I urge its adoption.

Mr. SPECTER. Mr. President, I seek recognition today to thank the Managers for agreeing to accept my amendment on campus crime reporting, which is based on legislation (S. 2100) I introduced on May 20, 1998.

As a lead sponsor of the Crime Awareness and Campus Security Act of 1990, I have been very concerned about what I perceive as the Department of Education's ineffective implementation of the Act's crime offense reporting requirements. On March 5, 1998, I held an oversight hearing on campus security issues as Chairman of the Senate Labor, Health, and Human Services and Education Appropriations Subcommittee. At that hearing, Assistant Secretary for postsecondary Education David Longanecker testified that the Department does not require colleges to report offenses occurring on sidewalks, streets and other public lands within what ordinarily would be considered a "campus." He also testified that buildings which are owned by a college but used for commercial purposes (such as a leased food court) do not fall within the Department's interpretation of "campus."

I believe that the omission of such information violates the spirit of the law and is a disservice to parents and students because commercial property such as food shops and retail stores and streets thread through a campus and must be visited or traveled in the course of one's studies. I was further troubled to hear testimony at the hearing that the Department has not imposed civil penalties on any school for failure to comply with the Act.

The best means of improving the implementation of the 1990 law is the enactment of the statutory clarifications included in my amendment, which redefines "campus" and requires the imposition of civil penalties where applicable.

I am grateful that the Managers have agreed to name these provisions of law in honor of Jeanne Clery, the daughter of Howard and Connie Clery of King of Prussia, Pennsylvania, who was brutally raped and murdered at Lehigh University in 1986. After that tragic incident, the Clerys founded Security on Campus, Inc., a non-profit dedicated to improving safety on our nation's college campuses. The Clerys brought the campus crime reporting issue to my attention in 1989 and it is highly fitting that after so many years of being inspired by their work on this issue, Congress will recognize Jeanne Clery in this manner.

I am hopeful that my amendment will be preserved in conference with the House and again thank my colleagues for their efforts on this issue.

Mr. MACK. Mr. President, I want to make some brief comments to commend the work of Senator SPECTER with regard to the inclusion of language in the bill to improve public safety on college and university campuses. I am an original cosponsor of the legislation Senator SPECTER introduced on May 20, 1998, the Campus Crime Disclosure Act.

My involvement in this important legislation began earlier this year, when I met with the Clery family of Palm City, Florida. Their personal tragedy, whereby Howard and Connie Clery's daughter Jeanne was brutally murdered in her college dormitory in 1998 at Lehigh University, saddened me. Since her death, her family has kept her memory alive by working to provide parents and students with more and better information about crimes occurring on college campuses. The result is the important changes to federal law which we are considering here today.

These changes include a modification to the Department of Education's definition of a "college campus". This definition will now include sidewalks and other areas adjacent to schools but not owned by the school. The Department had previously interpreted the term "campus" to exclude these areas. I, like Senator SPECTER, believe this is an incorrect interpretation. The result was that schools were not reporting crimes that had taken place on a sidewalk used by students to get to class. This legislation will correct that problem.

Furthermore, the legislation sets up a stronger but flexible enforcement mechanism which provides that the Department can fine schools that are not complying with federal reporting laws dealing with campus security. Congress has given the Secretary of Education enforcement discretion when a school is found to be in non-compliance after a public hearing is conducted.

Mr. President, I am pleased that we are taking these important steps to ensure safer campuses for college students. I appreciate the fine work of the Chairman, Mr. JEFFORDS, in including these important provisions. I commend the work of the Clerys in increasing the public's awareness about campus crime, although I realize that this day must be bitter-sweet. I look forward to continuing to work with them in the future.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3109) was agreed to.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that now that we have adopted the Specter amendment, Senator GRAHAM be recognized to offer his amendment and that there be 30 minutes of debate on the amendment.

Mr. WELLSTONE. Mr. President, I ask that I may follow Senator GRAHAM.

Mr. KENNEDY. Yes. Mr. President, I ask unanimous consent that Senator

WELLSTONE be permitted to follow Senator GRAHAM.

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

The Senator from Florida is recognized.

#### AMENDMENT NO. 3110

(Purpose: To amend the need analysis calculation regarding certain veterans' educational assistance, and to provide an offset)

Mr. GRAHAM. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM] proposes an amendment numbered 3110.

Mr. GRAHAM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 537, between lines 20 and 21, insert the following:

#### SEC. 476. TREATMENT OF OTHER FINANCIAL ASSISTANCE.

Section 480(j)(3) (20 U.S.C. 1087vv(j)(3)) is amended by inserting "educational assistance after discharge or release from service under chapter 30 of title 38, United States Code, or" after "paragraph (1)."

In section 458(a)(1)(B) of the Higher Education Act of 1965, as amended by section 454 of this Act, strike "\$617,000,000" and insert "\$612,000,000".

In section 458(a)(1)(B) of the Higher Education Act of 1965, as amended by section 454 of this Act, strike "\$735,000,000" and insert "\$730,000,000".

On page 514, line 9, strike "\$770,000,000" and insert "\$765,000,000".

On page 514, line 10, strike "\$780,000,000" and insert "\$770,000,000".

On page 514, line 11, strike "\$795,000,000" and insert "\$785,000,000".

On page 446, line 6, strike "section 428(c)(6)(A)(i)" and insert "section 428(c)(6)(A)".

On page 450, line 6, strike "section 428(c)(6)(A)(ii)" and insert "section 428(c)(6)(B)".

Mr. GRAHAM. Mr. President, I rise before you today to offer an amendment on behalf of myself and Senators DORGAN, COVERDELL, MURRAY, and HAGEL. I offer this amendment to correct an injustice in our current student financial aid policy. Since June 1 of 1987, the Montgomery GI bill has guaranteed basic educational assistance for most persons who are or have been members of the Armed Forces or the selected reserves for significant periods of time.

This legislation was created in 1987 to achieve a number of important national objectives. It was to assist veterans in their readjustment to civilian life, to aid in the era of an all-volunteer military, in the recruitment and retention of qualified personnel in the Armed Forces, and to develop a more highly educated and productive workforce.

Unfortunately, currently, the Montgomery GI benefits are considered



"other financial aid" in the determination of a student's need. In other words, when a veteran applies for financial aid, colleges and universities are required to take into account any benefits received under the Montgomery GI bill program in arriving at a judgment as to what resources that student would be entitled to receive.

The ultimate result is that the total financial aid award is substantially reduced.

Mr. President, I ask unanimous consent to have printed in the RECORD an analysis of three typical cases of student aid requests and the impact that the requirement to consider Montgomery GI benefits as a resource has on their financial aid.

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

#### Student A

Student is an unmarried male born in 1972 and is independent due to his age and his status as a veteran. With an adjusted gross income of just under \$8,000 and having turned down work-study but accepted loans, the student has a budget of \$10,100, a student contribution of \$1,998, and unmet need of \$0. His award package is shown below:

Program	Award with Montgomery GI bill	Award without Montgomery GI bill
Pell Grant .....	\$750	\$750
Supplemental Educational Opportunity Grant .....		1,200
Institutional Grant .....	2,588	3,100
Federal Direct Subsidized Loan .....	1,972	3,172
Federal Direct Unsubsidized Loan .....	2,138	2,138
Montgomery G.I. Bill .....	2,912	

Statistics from the University of Florida's Office of Financial Aid.

#### Student B

Student is a married male born in 1972 and is independent due to his age, marital status, and his veteran status. The couple's adjusted gross income is just under \$12,000 and the student declined loans. His budget is \$10,100, student contribution of \$2,493, and unmet need of \$1,465. His award package is as follows:

Program	Award with Montgomery GI bill	Award without Montgomery GI bill
Pell Grant .....	\$400	\$400
Florida Student Assistance Grant .....	1,092	1,092
Supplemental Educational Opportunity Grant .....	906	1,200
Institutional Grant .....	0	3,558
Montgomery G.I. Bill .....	3,744	

Statistics from the University of Florida's Office of Financial Aid.

#### Student C

Student is a single male born in 1970 and is independent due to his age. His adjusted gross income is just under \$8,500. His budget is \$10,230, student contribution is \$2,222, and unmet need is \$0. His award package is:

Program	Award with Montgomery GI bill	Award without Montgomery GI bill
Pell Grant .....	\$225	\$225
Federal Work Study .....	962	1,474
Federal Direct Unsubsidized Loan .....	1,181	1,181
Institutional Grant .....	2,000	2,300
Montgomery G.I. Bill .....	812	

Statistics from the University of Florida's Office of Financial Aid.

Mr. GRAHAM. Mr. President, this penalty, which is currently subjected to veterans' benefits, does not apply to other analogous benefits.

For instance, the current law states that those persons who receive benefits under the National Service Program Educational Award Program, which is generally known as the AmeriCorps Program, will not have their financial assistance treated as a deduction in their eligibility for other forms of student financial aid.

In fact, Mr. President, the amendment I offer is an amendment to precisely that section of the law adding the Montgomery GI bill to the current exemption for AmeriCorps as the basis of calculating student financial aid.

Mr. President, this unjust treatment of veterans' benefits has had a number of perverse affects. Although over 80 percent of persons in the military today are applying to become eligible for the Montgomery GI benefits—in fact, the latest statistics from the Department of Defense are that 94 percent of veterans are signing up for this program—less than 40 percent are actually using the program. And this discriminatory treatment is cited as a significant reason for that low level of utilization. It also is undercutting the ability of those who are attempting to recruit persons into the volunteer armed services by having to state that the real value of these benefits is substantially reduced and, therefore, this major inducement—in fact, the major inducement for many young people to come into the military—is diluted.

Mr. President, I offer this amendment today, which has been costed at \$85 million over the next 10 years by the Congressional Budget Office, and is offset by reducing accounts in the Secretary's discretionary fund as a step towards achieving the objectives that this Congress sought when it first adopted the Montgomery GI bill in 1987.

Mr. President, our country has had a long experience, particularly the experience since the end of World War II, in encouraging returning veterans to continue their education. I believe that the GI bill of 1944 ranks with legislation that has already been referred to by the chairman of the committee, the Morrill Act, that established the Land Grant College system, and Social Security as premier examples of congressional legislation that has had a positive effect on our Nation.

I urge the adoption of this amendment which will assure that the full benefits of the Montgomery GI bill, our current national statement of appreciation to those who have served in our armed services, that the injustice that is currently attached to that program be eliminated, and that the full benefits of the program be available to not only the veterans but to all Americans.

Mr. President, that concludes my statement. If there are no other statements, I ask for the consideration of this amendment.

Mr. COVERDELL. Mr. President, I rise to speak for a brief moment on the amendment offered by my colleague from Florida to the Higher Education

Reauthorization Act. This amendment is a common sense correction of a barrier veterans face when applying for financial aid from colleges and universities.

Currently, educational benefits veterans receive under the Montgomery GI bill count as a financial resource when they apply for financial aid. The ultimate result is a reduction in the total financial aid award a veteran receives to pay for college. I find it ironic, Mr. President, that the benefits intended to help veterans pay for higher education end up counting against them. Furthermore, the National Community Service Act of 1990 does not treat a national service educational award or post-service benefit as financial assistance. To present a contrasting case, AmeriCorps education benefits are not counted as a resource in financial aid calculations.

Veterans who pay for the Montgomery GI bill through paycheck deductions and dedicated service to their country should not be penalized when applying for financial aid. Mr. President, we all understand the value of higher education, and we should work to eliminate the barriers that prevent people from moving on to college. This was the intent of the Montgomery GI bill, Mr. President—assist veterans in their pursuit of higher education. We should honor the intent of this bill.

Mr. President, I am proud to be a part of this effort to help our nation's veterans and pleased to serve as an original co-sponsor to the bill Senator GRAHAM introduced last evening. I urge my colleagues to adopt this important measure.

Mr. JEFFORDS addressed the Chair. The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, we have one Member who would like to talk in support of the amendment who is on his way.

Mr. KENNEDY addressed the Chair. The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I thank the Senator from Florida for bringing this matter to our attention and for presenting it here on the floor of the Senate.

As a Member of the Armed Services Committee, I was there at the time the Montgomery educational programs were advanced as a part of the expanded opportunity for young people in the military services. That has been an enormously important program. It has been a vehicle for continuing education for those that are in the armed services. We have been encouraging that program for those people in the armed services. There is an incentive program for matching funds from the Federal Government for those young people who put aside and save their rather limited salaries. It has been very important and very effective.

Now we have the accumulation of some of those benefits after the young people come out and save for themselves and have served in the Armed Forces, many of them in very perilous

conditions, called to serve overseas. Their GI Bill benefits have been part of the contract of service. Unless we accept this amendment, we are really unduly penalizing young people who have served in the Armed Forces and set aside some savings of their own in order to carry on their education.

It seems that we ought to take this very reasonable step, as the Senator from Florida has suggested, to make sure that those cumulative funds will not reduce the financial aid that these young people are eligible for.

I think that this makes a great deal of sense. I certainly support it.

One aspect of the proposal seriously concerns me. That is about how the amendment is paid for, because the amendment takes the money from the Department of Education's administrative funds. These funds are used for both the Direct Lending Program and the FFEL Program.

Last year's bipartisan budget agreement included major cuts in the Department's administrative fund, and the Department has already had to terminate a number of major contracts to live within these reduced funding levels. Funding cuts undermine the Department's efforts to modernize the student aid delivery systems and to address the year 2000 computer problems.

This can potentially hurt students and lenders.

We must work in the conference to find a better way to offset the cost of this important benefit for veterans. I will work with all of our colleagues in the conference to do so.

On the substance of the amendment, it makes sense. I thank the Senator.

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I will make the remarks in support of Senator GRAHAM's amendment, and I support him.

I believe that this takes care of really an important problem which some of our service people have had. Thus, I do not object to it. I did have a problem with the way the offset was chosen originally, which would have put the bill out of balance with the Congressional Budget Office and, therefore, we worked with the Senator from Florida to find a more acceptable way.

I sympathize with the comments of Senator KENNEDY in taking it from the discretionary fund of the Secretary. But it is better to do it this way and not put the bill out of balance, and to spread it over a number of years so that it is not a big hit.

I commend him for bringing this to our attention. I thank him for allowing us to include in the managers' package language that ensures that in the aggregate, all types of Federal aid for education will not exceed the cost of the required levels. The inclusion of this provision expresses the concerns I had, and, therefore, I support it.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I wonder if I might ask my colleague if I might make general comments about the bill as we are waiting.

Mr. JEFFORDS. The Senator from New Hampshire has arrived to comment on the pending amendment, and then we will be moving to the amendment after that.

Mr. WELLSTONE. That is fine.

Mr. GREGG. Mr. President, I appreciate the courtesy of the Senator in allowing me to proceed.

Mr. President, I rise in support of the amendment of the Senator from Florida and to talk a little bit about the payment process on this amendment—how we pay for this idea, which is an excellent idea, to make sure that the people benefiting from the GI bill don't end up being penalized for having participated in our military. Ironically, as has been mentioned, we treat people who participate in the AmeriCorps better than we treat the people who participate in the military.

The Senator from Florida corrects this problem. In order to pay for this, he suggested that we reduce the overhead administrative costs within the 458 account of the direct lending program, and there is great justification for doing this—great justification for doing this.

One of the concerns I think many of us had when the Federal Government got into the business of lending money for education was that we would end up with a bureaucracy that would end up spending a lot of money and maybe not be as efficient as the private marketplaces are. That is just inherent in government; government at all levels does not have a profit motive, and therefore efficiency is always questionable, and in many instances efficiency is poor. There are few exceptions to that, but for the most part you can say almost as a Black rule of law that a government program is going to be less efficient than a private program that is subject to competition.

In the instances of direct lending, we are seeing that that appears to have been borne out again. We know that the workload, casework load, is up from 1992 by about 29 percent. But we see that the administrative overhead is up by 143 percent, which is an increase of 120 points more, or 115 points more than the workload going up. And we are not talking here about things which are directly student related; we are talking more about things which are tied to inefficiency, in my opinion.

We see that, for example, in the data processing area, the cost has gone up about 222 percent; in the payroll roll area, the cost has gone up 351 percent; in the training area, the cost has gone up 480 percent; in the staffing area, the cost has gone up 429 percent—this in comparison, again, to a workload which has only gone up 29 percent.

So clearly there is a great deal of expansion in overhead costs here which is

questionable on its face and on a statistical evaluation. So the Senator from Florida has included within his amendment an attempt to address this by reducing in the outyears the amount of increase which will be allowed in the area of administrative costs.

I congratulate him for that because I do think that is the right approach, and I think it is the way that this amendment should be paid for. I believe it is going to end up benefiting not only the GIs and the members of the service who benefit from the underlying amendment, but I think it is going to benefit the taxpayers generally, because we will be saving money out of administrative costs which are very questionable and applying it to getting people educated, which is the key.

So I congratulate the Senator from Florida for his amendment.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, to close, I ask unanimous consent to have printed in the RECORD a letter dated July 7 from Mr. Steve A. Robertson, director of the National Legislative Commission of the American Legion, in which he states, "The American Legion urges you to support the Graham amendment to S. 1882, the Higher Education Reauthorization Act."

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

THE AMERICAN LEGION,  
Washington, DC, July 7, 1998.

DEAR SENATOR: The American Legion urges your support to the Graham amendment to S. 1882, the Higher Education Reauthorization Act., which will exempt Montgomery GI Bill (MGIB) benefits from being counted as resources when veterans apply for financial aid.

According to the Department of Veterans Affairs, over 95 percent of servicemembers entering the military elect to participate in the Montgomery GI Bill (MGIB). Sadly, less than 50 percent of eligible veterans have used their earned MGIB benefit. Because of the high costs associated with college, counting MGIB benefits as resources when applying for other types of federal financial aid, penalizes veterans and prevents many from enrolling in an educational program.

Ironically, counting earned benefits as resources only applies to the MGIB and not other federal education programs like AmeriCorps. Under existing law, many non-veterans entering college actually have a larger monetary budget and still receive more financial aid than veterans receiving MGIB benefits. Penalizing veterans for receiving an earned individual benefit sends the wrong message to America's youth and is illogical and counterproductive. The Graham amendment to the Higher Education Reauthorization Act corrects this injustice and helps to restore the integrity and purpose of "earning an education."

Young servicemembers have long understood the meaning of earning educational benefits and the concept of working, contributing and patiently planning to improve their economic situation. Historically, the MGIB has served as a tremendous recruiting tool for the Department of Defense. Unfortunately, young men and women are less likely to join the military today because of other

federal education assistance programs that require little, if any, up front commitment, sacrifice and out of pocket expenses. Your efforts to help correct this trend will provide much needed financial relief to young veterans and their families when trying to transition from the military to the civilian work force and help them realize their educational potential.

Once again, The American Legion urges you to support the Graham amendment to the Higher Education Reauthorization Act. The American Legion appreciates your continued leadership and commitment to veterans and their families.

Sincerely,

STEVE A. ROBERTSON,  
*Director, National  
Legislative Commission.*

Mr. WELLSTONE. Mr. President, I ask unanimous consent to be included as a cosponsor.

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

Mr. GRAHAM. Mr. President, I would like to conclude by recognizing the person who first brought this issue to my attention, Mr. Ron Atwell, who is the director of veterans benefits at the University of Central Florida in Orlando, FL. While participating in graduation ceremonies at the university in May, Mr. Atwell raised with me the inequity of this circumstance of veterans having effectively the benefits that they deserved to receive, that they had made a partial contribution towards, be diluted by the manner in which other student financial aid was calculated.

I thank Mr. Atwell. This is an example of a citizen with a legitimate concern who has made a difference in the lives of potentially many thousands of future veterans who will get the benefit of this removal of an injustice from our student financial aid program.

With that, Mr. President, I urge adoption of this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3110) was agreed to.

Mr. GRAHAM. Mr. President, I move to reconsider the vote.

Mr. WELLSTONE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

Mr. President, I am going to very shortly send an amendment to the desk. I want at the very beginning to just take a couple of minutes to thank my colleagues, Senator JEFFORDS and Senator KENNEDY, for their very fine work. To me, it is a labor of love to be on the Labor and Human Resources Committee, and I want to very briefly talk about the Higher Education Act which was first passed in 1965.

I want to highlight at the beginning the Pell Grant Program, and I want to pay my respects to one of the Senators whom I have most enjoyed getting to know and to work with. I think he is a

giant. I think he represents civility. And that is Senator Claiborne Pell. When we talk about the Pell Grant Program, I would say to the pages, as you go to apply for higher education, the Pell Grant Program will be critically important. This was Claiborne Pell's great contribution.

I do believe that eventually—and I think my colleagues agree with me; and I am really disappointed that we haven't done this—we ought to fully fund the Pell Grant Program. We have bumped it up now to about \$3,100 or thereabouts, but, frankly, we ought to take it up to \$5,000. It is the most cost-effective approach. You reach the most students in need. You reach well into the middle-income range as well. Students don't graduate in such debt. It is absolutely critically important, and that would remain for me kind of the major priority in higher education.

I also want to just at the very beginning remind colleagues that I still think, on the Hope scholarship tax credit proposal, we have got our work cut out for us, because if it is not refundable, those students, many of whom are in community colleges, Mr. President, in our State of Minnesota, who come from families under \$28,000 a year, just simply have no help at all. So the promise of a tremendous amount of assistance for 2 years of higher education is not being realized.

The average college student today is just so different—I mean is really so different. I sometimes believe the non-traditional students, students who are older and going back to school, many of them with children themselves, have become the traditional students. Over 57 percent of college students are female—it certainly wasn't that way in 1965 when we passed the Higher Education Act—37 percent are students of color. The average age of a student today in higher ed is 27, and more than 25 percent of college students are over 30. About 1 in 5 are married, and 1 in 10 are single parents. So it is not just 18- and 19-year-olds living in the dorm any longer. Really, we are talking about a very different situation.

I wanted to highlight this, and I will just take a few moments and then get right to the amendment by just some profiles of some of our Minnesota students.

Tony Rust is a senior at Southwest State University at Marshall, MN, and the Minnesota State University Student Association State Chair. He received the Pell grant his freshman year, only the Perkins loan his first 3 years, and the Stafford loan all 4 years. During his 4 years of college, Rust has worked at least 20 hours per week in order to pay for tuition and other expenses. His parents have not helped him financially, but he did, however, receive scholarships during his sophomore year. "I wouldn't have been able to attend college without the Federal financial aid programs," Rust said. "I wouldn't be graduating this weekend if it wasn't for federal programs." Rust's loan debt will be approximately \$20,000.

That weekend, of course, goes back to the beginning of June. By the way, Southwest State University is one great university. And the thing I like about it best, Mr. President—you have probably visited it as well—is the accessibility for those students who are developmentally disabled. It is just an incredible place; it really is.

Paula Heinonen, after working for years in a rural hospital and raising four children, decided to return to school to enhance her skills. A non-traditional student, Paula is a junior at the Center for Extended Learning at Bemidji State University at Bemidji, MN. Paula is a wife, mother, worker, and student.

And we have a lot of students like that today on our campuses.

Then, finally, Troyce Williams. Troyce is a single mother of four children who is working hard to complete her studies at Minneapolis Community and Technical College within the one-year education requirement—which I will come back to in the amendment. Affordable housing and child care are critical to her graduating.

Mr. President, there are a couple of things in this bill I appreciate. There was an amendment I was proud of that we introduced, we did extend the Pell award for summer semesters, and that will help a lot these nontraditional students. I think that was terribly important. We did have increases, not all that we should have, in the Pell grants and in the TRIO Program. I don't think I heard a lot of discussion about the TRIO Program, but talk about a heart-and-soul program, I love the TRIO people in Minnesota. It is an effort to reach down in the public school system and attract students of color or "disadvantaged" students, low-income students, to higher education. And then, once there, once they are in our colleges and universities, to provide them with the kind of additional support services that they need. It is just wildly successful and, actually, we have strong bipartisan support for the TRIO Program. There was a time when we were fighting for the survival of the TRIO Program. I am really glad that both parties have united behind it.

Senator DEWINE and I—and I have enjoyed working with Senator DEWINE from Ohio—we have an amendment in this bill that I feel very good about. What we essentially say is that for those men and women who graduate who go into early childhood development, there will be loan forgiveness. That is a really positive incentive. We keep saying we have to get it right for students before kindergarten, but we pay men and women in child care miserably low wages. You make half of what you make working at a zoo, if you are working with children.

By the way, I think people who work at zoos do very important work. I love zoos. Actually, I think they are precious. But the point is, why in the world do we say, "These early years are so important for the development

of the brain, as shown in all of the studies, and we have to get it right for these children, it has to be intellectually stimulating," and we have so many people who work for \$6 or \$7 or \$8 an hour, many without any health care benefits and all? Senator DEWINE and I have a loan forgiveness provision in the bill which I think at least helps.

We have a mental health package which will provide those who are choosing careers in mental health to have research work and internships on the campus to be considered as study.

We have an effort with Senator KENNEDY in an area that has languished, recruiting women into the fields of math and science.

We do some things that I think are important with the Fair Play Act, which would require the university data—I say to the chair of the committee, don't worry, I am not going to get started on this today, at least—but we have expenditures on all sports to be shared with the Department of Education, so we can try to figure out why some of these minor sports, be they men's sports or women's sports, are being cut.

My colleague, Senator GREGG from New Hampshire, is great to work with. I am proud of the amendment we did on campus safety. We want more accurate reporting. We have an issue with the Senator from Pennsylvania, and we have a \$10 million grant program for collaboration between campus police, local law enforcement, and those women who are working in battered women shelters, which I think is extremely important.

Finally, we are going to have an GAO study just look again at some of the cuts in college sports, some of which I think have been arbitrary and capricious, and to try to have a little bit more accountability.

I thank my colleagues for their work on this bill. I am proud of the amendments I was able to contribute. I think this is a very good piece of legislation.

I now will send an amendment to the desk. This amendment I introduce on behalf of myself, Senator WENDELL FORD, Senator TIM JOHNSON, Senator DICK DURBIN, Senator CARL LEVIN, Senator BARBARA MIKULSKI and Senator CAROL MOSELEY-BRAUN. A number of these Senators are going to be out on the floor speaking on this amendment. I think it is an extremely important amendment, colleagues. I believe we can pass it. I hope we can pass it.

#### AMENDMENT NO. 3111

(Purpose: To expand the educational opportunities for welfare recipients)

Mr. WELLSTONE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself, Mr. FORD, Mr. JOHNSON, Mr. DURBIN, Mr. LEVIN, Ms. MIKULSKI and Ms. MOSELEY-BRAUN, proposes an amendment numbered 3111.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in title VII, insert the following:

#### SEC. \_\_\_\_ . EXPANSION OF EDUCATIONAL OPPORTUNITIES FOR WELFARE RECIPIENTS.

(a) 24 MONTHS OF POSTSECONDARY EDUCATION AND VOCATIONAL EDUCATIONAL TRAINING MADE PERMISSIBLE WORK ACTIVITIES.—Section 407(d)(8) of the Social Security Act (42 U.S.C. 607(d)(8)) is amended to read as follows:

"(8) postsecondary education and vocational educational training (not to exceed 24 months with respect to any individual);"

(b) MODIFICATIONS TO THE EDUCATIONAL CAP.—

(1) REMOVAL OF TEEN PARENTS FROM 30 PERCENT LIMITATION.—Section 407(c)(2)(D) of the Social Security Act (42 U.S.C. 607(c)(2)(D)) is amended by striking "or (if the month is in fiscal year 2000 or thereafter) deemed to be engaged in work for the month by reason of subparagraph (C) of this paragraph".

(2) EXTENSION OF CAP TO POSTSECONDARY EDUCATION.—Section 407(c)(2)(D) of the Social Security Act (42 U.S.C. 607(c)(2)(D)) is amended by striking "vocational educational training" and inserting "training described in subsection (d)(8)".

Mr. WELLSTONE. Mr. President, most of my colleagues who support this amendment, and I believe there will be bipartisan support, supported the welfare bill. This is not about the welfare bill. Most colleagues who support this amendment were strongly in support of the welfare bill.

I want to say at the beginning, a few words about that welfare bill which is a little counterintuitive to what I think people have been reading about or hearing about. I want to say, and unfortunately I believe I can marshal a lot of evidence for this point of view, that the reduction of welfare rolls by some 4 million plus people will be a good thing if what we are talking about is a reduction of poverty. The question is whether or not it has led to a reduction of poverty. There is precious little information out there and we need to understand, when we say to a family—a single parent, almost always women with small children—you now are off the rolls, you will be working, the question becomes what kind of jobs at what kind of wages can they support their families on? And, when they lose their health care a year later, are they worse off or better off? We have to make sure that these women and these children will be better off and that this will lead to a reduction of poverty, economic independence and all the rest.

I am not at all sure that is happening. As a matter of fact, I think if we were ever to get the data State by State, we would find that many of these others and these children are worse off. First point. Then I will get to the amendment.

Second point—child care. There are too many stories that too many people are now telling about how, yes, they

are working, but it is a 3-to-11 job. Where is the child care available for their 3-year-old or their 4-year-old? There are too many of these families that talk about very ad hoc arrangements, one week it is a cousin, another week it is an older brother, but they never know from week to week how they will be able to find the child care.

There are too many long waiting lists for affordable child care for working families. Now, you have another group of people who are coming into the workforce. There are too many first and second graders who are going home alone with no one there at all, and too many 3-year-olds and 4-year-olds also who are at home alone. That is the truth. Somebody has to look at that. I just want to say it on the floor once and then I go right on to the amendment. Someone has to look at that.

If we are going to say that children are so precious—and we say that—and if we are going to say the children are 100 percent of our future—and we say that—then these children, even if they are poor children, matter as much as any other children. They are, all of these children, are a mother's child and a father's child, and they should matter. Somebody, somewhere, sometime, someplace has to get beyond the hype and look at exactly what is happening.

Now, for the amendment supported by many colleagues who have a very different view about the welfare bill; this amendment is straightforward. What it does is it allows States to permit 24 months of vocational and postsecondary education as work activity. I will explain what this means. And, in addition, it removes teens from the 30 percent education cap.

Two issues: The States have a cap as to how many citizens they can count as working if they are going to school, and teenagers are included. In a way, the teenagers should not be included because the given is we want teenagers to complete their high school education. I think that is pretty simple and straightforward, and that will help a lot of our States out as they try to work through the work participation requirements.

The second thing this amendment says is, for any State that wants to—and there is no mandate at all—for any State that wants to, you can allow a mother to be able to complete 2 years of education.

This is extremely important. Senator LEVIN began this effort last summer when he offered a similar amendment to the Balanced Budget Act. His amendment would have expanded the current law to permit 24 months of vocational education. I commend his efforts.

I remind colleagues that there were 55 votes in favor of the amendment. Since that time, more data, more reports, more anecdotal evidence has emerged reinforcing the need to make this modification. In other words, we want to give States more flexibility with their welfare plans.

We have to make this modification, because right now what is happening is that in too many cases States don't have the flexibility and, therefore, women, single parents with small children who are on the path to economic self-sufficiency because they are going to school, are essentially being driven out of school. This is crazy. We shouldn't do this.

If we can at least put into effect this modification, which I think will have strong support, we will enable these women and these mothers to go on through the 2 years of education. We will enable the States to have the flexibility. No State is required to; it is up to the States. These women will be in a much better position to be economically sufficient.

I will provide a lot of data, I say to my colleagues. If the Senator from Illinois is here to speak on the amendment—I know he is an original cosponsor. Has the Senator come to speak on the amendment? I will give an introduction and then defer to my colleague because we are going to finish up soon.

Mr. President, what I am simply saying to colleagues is, I think this modification just makes all the sense in the world. Right now what happens is you have a State that is under pressure with all the work participation requirements. The State doesn't feel like it has the flexibility to give these mothers this option. And so you have this kind of bitterly ironic situation where a mother, a single parent, with two small children in college is forced out of college. She gets a \$6-an-hour job with no benefits. One year later, she loses her medical assistance, and she and her children are far worse off, as opposed to—and I will provide a lot of data to support this—as opposed to what happens when this woman, this mother can complete her education.

There is no mandate. What we are saying is that if my State of Minnesota or the State of Illinois or the State of Vermont or the State of Massachusetts or the State of Alabama so desires, or the State of Kentucky—my colleague, Senator FORD, has been very active on this—then they can do so.

The question is, When these mothers are on the path to economic self-sufficiency, why do we want to take them off that path? I recently heard from a mother, Camille Martinson, who is a single mother with two children on the verge of completing a nursing degree. But fearing she will be unable to do so—her words best express the frustration she is now feeling and highlights, I think, the importance of the amendment. I quote from the letter that Camille sent me:

With this infant program—

That is our welfare program in Minnesota—

They are forcing me to work a \$5.15 per hour job. But if I was to graduate as a nurse, I will work for pay of over \$10 per hour or higher. I am almost ready to graduate but it's damn near impossible with all these demands on me. If I didn't love my children so much that

I want to provide them and give them a good life, I would have quit school and flipped burgers for eternity. I guess that's what the State may be forced to have me do. It sure seems like it. I want to make something out of my life for me and my children and succeed in life but won't at this rate.

These are her words, a direct quote:

Please help me with these issues as I see no other way out. It is hell for me. I guess you have to be in my shoes to know exactly how I feel and what I'm going through. I don't like the way this program is set up. It is a lose-lose situation. I can't win no matter what I do. The system I'm currently working on will make me fail no matter what I do. When I speak on these issues I'm not only speaking for myself, but many thousands of others are having similar problems that I do.

I have a lot to lay out on this amendment. I yield the floor to my colleague from Illinois who was gracious enough to come down and speak on this.

Mr. DURBIN. I thank the Senator from Minnesota.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask for recognition in support of his effort. I say to my colleagues in the Senate, we have, in the course of the century, embarked on major undertakings at the Federal level. Probably the most historic was the New Deal. The New Deal, which goes back some 65 years-plus, was an effort to bring this country out of a terrible situation. It was initiated by President Franklin Delano Roosevelt, and he tried very many different ideas to try to get America moving again.

I thought the hallmark of the New Deal was the willingness to concede that every new idea in the New Deal didn't work. Some of them had to be junked; some of them had to be changed substantially.

I was one who voted in favor of the welfare reform legislation. I believed that we needed to change the welfare system in this country, to change the mentality of welfare, to break the generational dependency that was repeating and repeating.

I said as I voted for it, and I repeat today, that bill, as drafted, was not perfect law by a long shot. It didn't reflect the reality of change that would take place across America. So since then, on four or five different occasions, we have modified welfare reform in order to be more responsive to the actual needs of Americans.

What the Senator from Minnesota is asking us to do is to open our eyes, go beyond the stereotypes, go beyond the clichés, look at the real people who are now making the life struggle to come off welfare and into an independent state and a state where they can raise their families in dignity.

I have met women like those who have written to Senator WELLSTONE. One I can recall is in Springfield. She is coming off welfare, attending the community college. Bringing her 12-year-old daughter to class with her because she had no one to watch her, keeping that daughter in class with her

during the course of the day, and trying to find her way home in the evening by public transportation was making the ultimate sacrifice. She was going to get that associate degree and use it to improve her life and to help her daughter no matter what. We should never stand in the way of that.

What the Senator from Minnesota is saying is let us have the flexibility to recognize when people are making an honest and determined effort. Let us not set up these barriers and walls to progress. Let us join in a partnership and hold our hand out to help these people come up that ladder to success. I think when it comes to education, it should go out without debate and really without controversy here; that if we have people who are moving on the track to training and education which liberates them from welfare dependency, we shouldn't constrict them with rules or with our laws or our legal stereotypes.

I gladly support the Senator from Minnesota, and I hope that we can provide this flexibility, and with this flexibility, we can give more people an opportunity to succeed.

Mr. President, I yield back the remainder of my time.

Mr. WELLSTONE. I thank my colleague. I know we are going to take a break in a moment. I say to my colleagues, if you don't have debate and want to support this amendment, I won't talk that long. I am ready to go forward with it. I don't know what my colleagues have heard. I believe both of them are supporters.

I will simply summarize right now. There is a lot of data I can present later on about the difference an associate degree makes in terms of an economic situation for a family.

I want to pick up on one comment my colleague from Illinois made. I can't even begin to recount the number of community colleges I have been at where maybe there are 300 students. I know about 20 percent are single parents, many welfare mothers. Over and over again, the plea that I hear is, "Please let me finish my education; please let me get my 2-year degree, because I will be in such a better position to support myself and my children."

I think if a State wants to allow a mother to do so, and her family will be much better off, we ought to give States that flexibility. I believe our States are saying that, I believe the community colleges are saying that and these families are saying that.

I have a list of about 70 different organizations—120 organizations—that are saying that. So I hope we will adopt this amendment.

Mr. President, I ask the manager, my colleague, the chairman, I have much to say if we are going on and there is debate. If there is support for this, I am prepared to urge its adoption. Does my colleague know? Is there opposition?

Mr. JEFFORDS. I am not at liberty to say at this time. I don't know. I suspect there is opposition, but I haven't

had anyone come forward who wishes to speak at this point. But since we have reached the magic hour of 2 o'clock, it is best we proceed under the unanimous consent agreement.

#### AGRICULTURE EXPORT RELIEF ACT OF 1998

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the clerk will report S. 2282.

The legislative clerk read as follows:

A bill (S. 2282) to amend the Arms Export Control Act, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 1 hour under the previous agreement.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I rise today to offer the Agriculture Export Relief Act. First, I thank the members of the sanctions task force for their critical contributions to this bill. The staff has met several times, and I think the concerns which were raised in each meeting have been incorporated in this legislation.

Before I describe the bill, I would like to mention a few Members for their unique role in bringing this bill to the floor and energizing all of the interest that has developed around this particular issue.

Senator ROBERTS of Kansas deserves special recognition for his leadership in resolving this pressing issue. It was two bills first introduced by Senator ROBERTS—one dealing with the specific issue of lost markets for U.S. farmers and another more important bill dealing with the broader issue of ensuring that the executive branch has the flexibility it needs to conduct foreign policy in south Asia—that provided the initial impetus for today's action on this important legislation.

Senator ROBERTS quickly recognized the need to provide additional flexibility in dealing with the troublesome relationship between India and Pakistan. His legislation to provide that flexibility prompted the majority leader to create the sanctions task force 2 weeks ago. And today, in the task force's action, the U.S. Senate is preparing to act on the legislation originally sponsored by Senator ROBERTS.

I am very pleased to associate myself with the work of the Senator from Kansas. While his efforts to protect and defend America's farmers and ranchers are widely appreciated, I am particularly pleased to recognize his strong leadership in the area of U.S. foreign policy and in protecting the national security interests of the American people.

I also want to take a moment to recognize the work of Senator CONRAD BURNS, Senator CHUCK HAGEL, and Senator LUGAR. Each have been vocal, effective advocates for their agriculture communities' interests, which I am convinced is why the Senate is acting

so quickly today. And, in addition to that, Senator GRAMS of Minnesota and Senator ALLARD of Colorado have been particularly active and involved in this issue.

Let me outline briefly what I think this bill accomplishes, since we operated on a tight deadline and there may be some Members who have not had a chance to review the details. Frankly, it is short and it is simple.

As many Members know, current law imposes sanctions on nations which transfer nuclear technology or detonate a nuclear weapon. The law exempts from these sanctions intelligence activities and humanitarian assistance. This legislation adds one additional category. We have permanently exempted financing and credits extended by the Department of Agriculture to support the sales of agricultural commodities. We have also clarified that current law exemptions on commercial financing extend not only to agricultural commodities but also to fertilizer.

The reasoning behind this exemption is simple: Sanctions are supposed to squeeze the targeted country, not the American farmer or producer. Cutting off our sales will not alter or reverse the decision to detonate. Cutting off American export financing will not change any government's judgment or, for that matter, change its behavior about its nuclear program. There is no leverage in curtailing or cutting off our sales; there is only loss of income for our farmers, our ranchers, our producers.

As we discuss this bill, the U.S. agriculture community faces the possibility of not being able to bid on a tender of 350,000 tons of wheat recently proffered by the Pakistani Government. At a time when Asian markets and sales are depressed, this tender is unusually important. Whether the Pakistanis buy U.S. wheat, Canadian wheat, or some other country's wheat isn't going to make a difference on a dinner table in Islamabad—but it sure will in Topeka. We should not sacrifice the American farmer in our effort to put the nuclear genie back in the bottle.

This bill is a good first step. But I would like to let my colleagues know it is not as far as most of the members of the task force wanted us to go. I think many shared the view that we should exempt from the sanctions law all official export promotion support to all American businesses, especially in view of the enormous pressure many are under because of the Asian meltdown. In the search for substitute markets, it would have made a real difference to allow the Export-Import Bank and OPIC support for a wide range of businesses from aircraft to home computers. However, given Senator FEINSTEIN's and Senator GLENN's objections, we were not able to proceed with export support.

We also could not proceed with language which would give the President a margin of flexibility to facilitate a reduction of tensions in the region. We

did not plan to offer a permanent waiver or suspension of sanctions. We were simply going to give the President authority to waive any restrictions until March 1 if doing so would produce some progress.

I think many of us are concerned about the possibility of additional tests, the prospect of deployment of nuclear weapons, and the transfer of fissile material to third parties. I am convinced that there was some merit in providing the President a short period of time to waive a restriction on economic assistance if he could produce meaningful results in enhancing our security interests.

Again, objections on the other side of the aisle have prevented us from offering that option today. We may not have reached as far as most of the members of the task force wanted, but we have taken a first, constructive step in defining when sanctions are and when sanctions are not in American interests and changing the law to better reflect those interests. This bill will advance and protect American economic security interests.

I have been pleased by the cooperative spirit which has characterized this first round in the task force's efforts and the fact that we had a very tough deadline set by the leadership which we were able to meet a week early. We would not have been able to move so quickly without Senator BIDEN's active and thoughtful effort. I thank him for that. We have had a lot of explaining to do, and my colleague has taken on that challenge with expertise and enthusiasm.

Mr. President, I do not see Senator BIDEN here yet. There are a variety of Senators on this side of the aisle who have been heavily involved in this, many of whom I see on the floor today. Senator CRAIG has been very, very active and concerned about this issue, and I believe he was first on the floor. I would be happy to yield to Senator CRAIG 5 minutes.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President let me thank my colleague and chairman, Senator McCONNELL, for working so closely with so many of us to bring S. 2282 to the floor. It is important that we act now and that we act decisively to send a very clear message to our producers and to our markets, both nationally and around the world, that we recognize, although sometimes the action of Government does not appear to, that the American economy and American farmers live in a global economy, and that we have to be a good deal more sensitive to our actions as it relates to that and the impact that those actions can have on our producers. Cutting ourselves off through unilateral sanctions seldom benefits us as a nation and almost always hurts the producer. In this instance today, we are