Unreconstructed Croat nationalists in Herzegovina may still long for union with Croatia, but as the leadership changes in Zagreb, the new government there will be more intent on integrating with Western Europe than on annexing provincial bandits.

In short, for the first time in years, developments are moving in the right direction. As I have outlined, much hard political and economic work remains to be done, most of it by the Bosnians themselves. The United States and its allies can, and must, provide the framework for the Dayton accords to be fully implemented.

I do not minimize the cost to the American taxpayer of our efforts. Neither, however, can I underestimate the cost of a failure of the Bosnian operation. In the near future, I will indicate in some detail what I think the costs would be to the United States if, in fact, Bosnia were to erupt once again. Suffice it to say now that not only would all that has been accomplished go up in smoke as fighting reignited, but a failure in Bosnia would signal the beginning of the end for NATO, which is currently restructuring itself to meet Bosnia-like challenges in the 21st century.

Therefore, I call upon the Clinton administration immediately to begin discussions with our allies about creating a post-SFOR force after June 1998. For months, I recommended a combined joint task force with our allies, which the Senate overwhelmingly advocated in July in the 1998 defense authorization Bill.

The question of whether American participation in a post-SFOR force will be limited to air, naval, intelligence, and communications support with a rapid deployment force in reserve in Hungary, or also might include a greatly reduced ground contingent can be resolved in these negotiations.

The immediate priority is to begin the negotiations now—to make clear to all parties in Bosnia that, if they cooperate, the security framework will continue for a limited time—and to make clear to the skeptics that the new NATO can and will be the driving force in the European security architecture of the 21st century.

I thank my colleague from Arizona for his indulgence. I thank the President for the time.

I yield the floor.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. The clerk will report the bill.

The legislative clerk read as follows:

A bill (S. 1061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Kyl amendment No. 1056, to increase funding for Federal Pell grants, with an offset from fiscal year 1998 funding for low-income home energy assistance.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, yesterday I had announced our hope to be able to conclude this bill by this evening. Senator LOTT was on the floor when we were talking about scheduling and I discussed it briefly with our distinguished majority leader, and also with Senator HARKIN, the ranking Democrat, and asked that anybody who intended to file amendments to let us know by the close of business yesterday, or in any event no later than noon today. We have been advised of a number of possible amendments. I believe it is possible to work some of those out. Others will have to go to votes.

But I would restate at this time our urging anybody who intends to file an amendment to contact us by noon today so that we may proceed. There is one item which may not be completed by the close of business today, and that relates to the funding on testing which is now proposed by the administration.

There was a statement in the media by Congressman WILLIAM GOODLING of Pennsylvania, chairman of their authorization committee, of his intention to oppose funding. And there was comment that a similar prohibition may be offered on this bill.

Yesterday I was contacted by the Secretary of Education, Richard Riley, who urged support of their program, and we had a discussion. After sleeping on it I decided it would be a good idea to have a hearing on the subject, which we have put into effect for tomorrow morning at 9 o'clock, with the concurrence of Senator HARKIN and also our chairman of the appropriations committee, Senator STEVENS. So, if that amendment is offered, that one item of business might most appropriately be concluded tomorrow morning. But aside from that one item, it is my hope that we will be able to finish action on this bill this evening.

I thank my colleague, Senator KYL, for offering his amendment yesterday.

I yield the floor so that Senator KYL may proceed.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 1056

Mr. KYL. Thank you, Mr. President. I appreciate that.

I also appreciate the remarks of the Senator from Delaware preceding this. I think he makes very cogent points on a different subject.

Mr. President, I don't think the yeas and nays have been ordered on my amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KYL. Thank you, Mr. President.

At this time, let me explain the reasons for my amendment to increase Pell grant funding. I submitted a statement for the RECORD yesterday. But I would like to discuss it in a little bit more detail today.

There is particular reason for us to take this action which would bring us closer to the administration's request and into line with the recommendation from the House of Representatives. It seems odd to me that the Senate would not be willing to support Pell grant funding at the same level as recommended by the Appropriations Committee in the House of Representatives. This amendment would conform the Senate funding level to the House funding level, and there is a particular reason for this amendment coming up. That is, a problem that was created in a previous law with respect to two different groups of students that are funded. I would like to discuss that in a little bit more detail.

First, let me note the numbers. This amendment would provide an additional $528 million for the Pell Grant Program. It would boost funding to the level recommended by the House Appropriations Committee. The Pell grant funding would go from $6.91 billion to $7.438 billion. The offset is from the Low-Income Home Energy Assistance Program, which I will discuss in just a moment.

The Pell grant funding amendment, as I said, is intended to finance changes in eligibility—that is, to correct problems that have arisen as a result of the current law phaseout of certain independent students at income levels that are lower than those for dependent students. Like the House bill, this funding level is contingent upon the authorization committee providing authorization.

We have letters from both the chairman and ranking members of the House and Senate authorizing committees indicating that should the additional funding be approved they would work for that authorization to be established.

It is also my understanding that the administration is in agreement with the House of Representative numbers with respect to the Pell grant funding.

So I think we ought to put at least as high a priority on Pell grants as the President and the House of Representatives in this version of the Labor-HHS bill.

Here is the problem that was created. In the Higher Education Amendments of 1992 we established a separate allowance for independent students without dependents—independent students, not dependent students—independent students who do not themselves have dependents.

The problem is, the separate allowance established under the 1992 act. It creates a substantial disparity among these groups of students very much to the disadvantage of the independent students without dependents. The proposed change in eligibility which the

funding in my amendment is intended to finance would bring the proportion of students in this group who would be eligible for Pell grants closer to the proportion that existed prior to the establishment of the separate allowance in the 1992 act. Students, incidentally, in this group are typically older students with annual family incomes of between $10,000 and $20,000.

I obtained from the Department of Education a statistical list for the States of the number of students who lost eligibility under the separate allowance that we created in the 1992 act. Just for the benefit of some of the Senators who are here, I might note some of the numbers with respect to the States involved here.

In California, for example, 24,314 students lost eligibility as a result of what we did. My amendment would provide a way for these students to go to school.

In Iowa, the State of the distinguished ranking Member, 4,247 students lost eligibility as a result of what we did. My amendment would reassert their eligibility to provide the funding for that.

In the State of Michigan, the number of students who lost eligibility, according to the Department of Education, is 15,254;

In the State of Minnesota, 7,432;

In the State of Pennsylvania, the State of the distinguished chairman of the committee, 9,535 students lost eligibility as a result of what was done.

My amendment will restore the funding so that these students will be eligible—will have the funding to get the Pell grants to get their education.

So we are talking here about a significant number of students that will not be helped if our amendment is not adopted.

The offset, as I said, is from the Low-Income Home Energy Assistance Program, the so-called LIHEAP Program. I know there are some Members who rather reflexably react to any reductions in this program because there is a contingent of their constituency that relies on this program and that reacts very badly if there is an attempt to cut it. But, Mr. President, I think in this case we have to balance the interests of those people with the people who have lost their eligibility under the Pell Grant Program. And, if we do not act, these students are not going to have the opportunity to advance their education.

So let's talk for just a minute about this tradeoff and about the LIHEAP Program.

The LIHEAP Program was set up 16 years ago as a temporary program for just a few months to help people get over the energy crisis. The energy crisis is long gone. This is a typical program of the liberal welfare state. It gets established, and then can never be disestablished notwithstanding the fact that the reason for it has long ago disappeared.

The world is a very different place than it was in 1981. Gone are the long lines at the gas pumps and the skyrocketing energy prices.

It seems to me, as we prepare for the 21st century, that we should look beyond programs designed to cope with an energy crisis of nearly 20 years ago—a crisis that has come and gone—and focus instead on how to prepare young people for the high-tech more competitive economy of the future.

That is what this amendment does.

Mr. President, fuel costs have not only stabilized since 1981, they have declined significantly in real terms; that is, in inflation-adjusted terms.

For example, I would refer to figures from the Clinton administration itself. In its 1995 budget submission the Clinton administration recommended substantial reductions in the LIHEAP Program because it too recognized that the fuel costs had gone down significantly. As noted in the President's budget, ''fuel prices have decreased by 40 percent in real terms; the cost of electricity has dropped by about 13 percent in real terms; and the percent of income spent for home heating for households at or below 150 percent of poverty guidelines has dropped by about one-third.'' The President's budget went on to propose a 50-percent reduction in funding for the program that year.

Last year, President Clinton proposed outyear costs in LIHEAP—a $90 million reduction in 1999, and a $181 million reduction in the year 2000. The Office of Management and Budget advised my office that the declining figures were due to the standard percentage reductions applied to programs that were not considered a high priority—because of the statistics that I cited earlier from the Clinton administration.

So, Mr. President, you have the Clinton administration recognizing that we need to increase the Pell grant funding, you have the Clinton administration recognizing that the LIHEAP Program can no longer be justified at its present level, you have the House of Representatives Appropriations Committee recommending that we end this disparity between the two different groups of students funded by Pell grants, and it seems to me that we have an opportunity here with very little detriment to increase the funding for these students.

The States themselves as I have noted, have already shown a significant ability to meet the energy needs of those that require assistance.

For example, many States refuse to allow public utilities to shut off power to delinquent customers. And they have set up payment plans and other options. So we do not need the old subsidy to deal with the problem that may exist for some people.

It just seems to me given the States' track record, obviously, that they care as much about their low-income citizens as people here in Washington, DC, do. Given their track records and the stable or declining price of energy, this is a good time to begin, as the President recommended a couple of years ago, to begin cutting back on LIHEAP so that we can target these resources to other more pressing needs.

In closing, Mr. President, the bipartisan budget agreement that we passed in July was intended to create new opportunities in education for middle- and upper-income families. It will through a variety of new tax breaks and tax credits. But we have the chance today to target additional Pell grant assistance to more lower- and middle-income people so that all American families will have the same opportunity to secure a brighter future.

For those, as I said, who react somewhat automatically against this amendment because, as one friend put it, they come from a cold State, I simply think it is very hard to explain why you voted against the level of Pell grant funding recommended by the House of Representatives and the President of the United States simply because you wanted to preserve a 16-year-old temporary subsidy program, the justification for which has long since disappeared.

This amendment literally represents a choice between an old welfare state subsidy and a brighter future for more young people through education that they might not otherwise receive.

I hope my colleagues will join me in supporting this amendment to add more money to the Pell Grant Program.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I agree with 50 percent of what the distinguished Senator from Arizona has said; that is, the part about the increasing Pell grants. I think he is exactly right about that. I wish we had more money to increase the Pell grants.

What we have done is to increase the Pell grants by $1 billion. It has moved from fiscal year 1997 where it was at $5.919 billion to $6.910 billion which is a very, very substantial increase—in the 16- to 17-percent range.

Senator HARKIN and I, who have looked over these figures, take second place to no one on our concern for education and that created in the budget we have here, and what we have done over the years—most notably last April when we added $2.6 billion over some very considerable objection and instead having those funds go largely to education.

As I said yesterday, on a very personal level, my concern about education goes to the roots of my own family. Both of my parents were immigrants. And my brother, my two sisters, and I have been able to share in the American dream because of our educational opportunities.

We have not only added to the Pell grants the $1 billion here but have also increased the funding on guaranteed student loans so that every young man and woman—and this goes for the people who are not quite so young—would

have an opportunity for educational advancement in this country.

So that I agree totally with what my distinguished colleague from Arizona has had to say about the value of the Pell grants. But we have stretched and stretched very, very far.

It is true that the House has an additional $500 million in the Pell grants, and they have a larger sum of money to work with than we are allocated in the Senate. Without going into any extensive explanation, there are different technical rules which apply to the two bodies.

I might say to my colleague from Arizona that with the additional arguments he has advanced today in a very cogent way, to the extent we can yield to the House figure, we will try to do so when we get to conference, recognizing his interest and being even more persuaded by his eloquence here this morning.

The part of his presentation that I cannot agree with is the part relating to cutting the funding on low-income heat and energy fuel assistance. What we have done here, Mr. President, for those who may be listening in-house or on C–SPAN 2, is made an allocation of the almost $80 billion here by trying to place the funding on a priority basis, and having taken care of other priorities including Pell grants with the additional $1 billion, have made the allocation of $1 billion to the LIHEAP 1998 program and an advanced appropriation of $1.2 billion, which is slightly different.

This program is on the decline from 1985 when it had $2.1 billion. We believe that this is an appropriate allocation of priorities. Some 55 Senators have written to Senator HARKIN and myself asking that LIHEAP be preserved. If you add 55 to 2, that is 57, and there may be some other votes out there.

I make this comment not to prejudge the tabulation of the votes, because you never know until the votes are counted, but there are 57 Senators who have been concerned enough about this one item who have spoken up—55 having written to us. And I can tell you how strongly Senator HARKIN and I feel about this. I know obviously my own sense of it, and I have talked to Senator HARKIN enough to know his sense.

This program is for low-income families. Almost 70 percent of the recipient families have an annual income of less than $8,000—think of that, $8,000; 44 percent have at least one member who is elderly, and 20 percent have a member disabled. Currently, the number of families served has been reduced to 5 million families, 1 million less than 2 years ago, and this is part of our effort to target those who need it the most. The funding has been cut by more than 50 percent, from $2.1 billion to this figure. There is no replacement for this funding.

Thirty-five percent of all recipient households heat their homes by using oil, propane, wood, or coal. These sources of fuel do not have a monopoly control over their territories and cannot raise prices to cover the cost of providing discounted or free energy supplies to their low-income members. What we really face here is that in this category, many of the elderly, many of the disabled are faced with an alternative of either heating or eating, and that is a choice obviously that no American should face.

Without LIHEAP, there would not be an opportunity for these low-income families to utilize their other scarce resources for sustaining themselves. Obviously, in a civilized society, if the choice is heating or eating, we have to do both, and that is why this funding is so very important.

Mr. KYL. Mr. President, I was just going to comment on a couple things very briefly.

Mr. HARKIN. Go ahead.

Mr. KYL. I certainly appreciate the comments of the Senator from Pennsylvania, the chairman of the committee. I just wanted to comment on two of the points he made.

It is, indeed, true that the total amount of money to be expended on Pell grants has been increased by about $1 billion. That goes to increase the maximum Pell grant to $3,000. It does not, as the Senator, of course, is well aware, fund this category of people who I contend have been disadvantaged as a result of the 1992 act, the independent students without dependents. So the increase in the funding in the bill has made it better for those who receive the grants, but it has not enabled us to cover the people that I am proposing to cover.

Second, with respect to the LIHEAP Program, just to make it very clear, this offset does not eliminate the LIHEAP Program. It reduces by about one-half the funding for the LIHEAP Program, which, incidentally, is almost the same amount of reduction that was recommended by President Clinton in his 1995 budget submission.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I rise—and I am sure this is no surprise to anyone—in opposition to the amendment offered by my friend from Arizona. Again, I would concur with what my distinguished chairman said. About half I agree with; half I do not agree with in terms of the Senator's comments.

We are all in favor of increasing Pell grants and making sure everyone is covered, but I would say this committee, under the able leadership of Senator SPECTER, has done a great job of increasing the Pell grants to historically high levels—a maximum grant of $3,000, up from $2,700 last year. Certainly you always perhaps could have more. But I haven't heard from any institution of higher learning or anyone that is involved in the Pell grant program saying that this is insufficient. I think what I have heard is that they are very, very happy with what this committee has done in meeting these requirements and getting the level up.

In taking the cut out of LIHEAP for this, though, talk about robbing Peter to pay Paul, because we are talking about the same kind of universe. We are talking about low-income families.

Again, just to reiterate and reaffirm what the chairman said, the LIHEAP Program has gone down 50 percent in the last decade. We started out at about $2.1 billion in 1985 and it is down now to $1 billion—a 50–percent drop in the amount of money, yet the eligible population for LIHEAP has grown by about 30 percent—33 percent in that same period of time. So the eligible number has gone up and the pie piece has gone down. Over 70 percent of the families receiving LIHEAP assistance have incomes of less than $8,000 a year; 7 out of every 10 have incomes—that is not individuals—family incomes less than $8,000 a year, and 44 percent of the households receiving it are elderly, over age 65. So that is the universe we are talking about.

The Senator from Arizona said this is a program that's outlived its usefulness; the energy crisis is gone. Well, it may be that for those who are making more money it is gone, but my figures show that the prices of natural gas, electricity, if you adjust for inflation, are about as high now as they were in 1979. But if you look at the universe of people who are getting LIHEAP, their inflation-adjusted incomes have not gone up. So they are basically in the same position they were in, or like families were in, when the energy crisis hit in 1979.

As Senator SPECTER said, 50 percent of these families in LIHEAP use natural gas, 15 percent use electricity, 35 percent use oil, propane, wood, and coal. So for these families the energy crisis still exists, and it especially exists when the weather gets the coldest.

The Senator from Minnesota is in the Chamber, and as we found out last year when we had some extremely cold weather, we found anomalies in the upper Midwest where in some States the cost of propane and oil spiked, went up 25 percent during the coldest times of the year as compared to some other States. In other words, in those areas where it was the coldest, where it was needed the most, the price went up the highest.

Mr. WELLSTONE. Will the Senator yield for a question? And I say to my colleague from Maine, I will not go with other questions as I know she wants to speak, and I had a chance to speak yesterday.

Isn't it also true, taking the experience of last winter—and I could ask this of the chairman as well, Senator SPECTER—what has been happening, because we have really been underfunded, we depend on the emergency funding and we go through this drill every year where then what we have to do is seek this additional emergency funding? We certainly had to do that last year. And then, of course, States never know what they are going to be able to do. So the last thing we should be doing, am I correct, is cutting $500 million?

It would gut the whole program.

Mr. HARKIN. It would gut the whole program. To answer the Senator's question, we always come in for emergency funds. But here is what happens. When you don't fund the LIHEAP Program enough, what happens is family—let's face it; the average family gets about 215 bucks. It's what, around 30 percent, I think, of their heating bill. But what happens—and we know this from experience in my State of Iowa especially—when they don't know if they are going to get the money to pay their heating bills—and you know elderly people are very proud. They don't want to be on welfare and most of them are not on welfare. They are getting Social Security, very small Social Security checks. What they do is they turn the heat down and they put their shawls on, they put on coats, they wear coats around the house. And then what happens. Well, they get ill and then they have to go to the hospital, and they go to the emergency rooms.

We have found this time and time and time again. That is what poor people, and especially elderly people, will do when they don't know if they are going to get their heating money. And so again, the crisis is real for these people, very, very real.

As I pointed out, last year we had—and I have called for an investigation of it—in some States, a 25–percent increase, and I do not think there is any need for it other than the demand was there, it was very cold, and a lot of these elderly people simply could not pay these prices.

Lastly, let me sort of respond philosophically to the Senator from Arizona. I couldn't help but notice the comment that this was a program of the liberal welfare state; like a lot of programs of the liberal welfare state, it just goes on and on and on even when the need is not there.

Well, I could ask the Senator from Arizona, what about the Pell Grant Program? That was a program of the Lyndon Johnson Great Society just as well as—well, not LIHEAP; that came later, but the Pell grant was a program from under the Great Society, and the need was there and the need is still there for the Pell Grant Program.

So I would submit to the Senator from Arizona that this is not a program of the liberal welfare state. It is a program of a caring and compassionate and fair state. We are, as I said the other day, fulfilling our obligation under the Constitution of the United States.

A lot of people do not realize this, but twice in the Constitution the word ''welfare'' is mentioned—twice—first, in the preamble when it says, ''We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare.''

''Promote,'' it does not say just stand by. It says ''promote the general Welfare.'' That is why we established the Constitution. So that is the first place it is mentioned. And then in article I, section 8 of the Constitution. Article I is, of course, Congress and what Congress is supposed to do. Section 8 outlines the responsibilities of Congress: To borrow money, regulate commerce, to establish post offices and roads, provide and maintain a Navy, et cetera, et cetera. Here is the first paragraph of section 8 of article I of the Constitution.

> The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.

It is our obligation, first, to promote the general welfare and then, using the powers that we have to lay and collect taxes and disburse those moneys, to provide for the general welfare of the people.

That is what we are talking about. Whether we are talking about Pell Grant Programs or whether we are talking about heating energy assistance programs for the elderly and the poor, we are fulfilling our obligation as a caring and compassionate state to promote the general welfare and to use our taxing and spending powers outlined in the Constitution of the United States to provide for the general welfare of our people.

So, no, this is not a program of a liberal welfare state. It is a program of a caring and compassionate and fair state, just as the Pell Grants Program is. These are good programs. We should not be robbing one that hits at the poorest, those with the lowest incomes of our people—70 percent of these families have less than $8,000 a year income—to use that to try to help other low-income people to get an education. Don't tell me there are not other sources of funds here. There are.

I might submit that we now have this B–2 bomber we are building that cannot even sit out in the rain, $1 billion a copy, and now we have to build special hangars for them because they cannot sit outside. We can't forward deploy them. All this is coming out now. We are going to put money in that, but we are going to take money out of the heating energy assistance programs to help other poor people get an education? I am sorry, that doesn't quite compute for this Senator.

So I am hopeful—and I know the Senator from Arizona means well. As I said, I support half of what he is talking about, in terms of getting the Pell grants up. I just think his sources of getting the money are just not good for this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I thank the distinguished Senator from Maine, who is going to speak next, but I ask if I can have just 1 minute to respond to one point the Senator from Iowa just made. I think it is important for me to respond to it.

He said, first, that the inflation-adjusted prices are about the same and then challenged my assertion that the liberal welfare state program, as I described the LIHEAP Program, which I said the need for had largely been eliminated, is similar, in terms of welfare, to the Pell grant funding and suggested perhaps I was failing to appreciate the similarity in both programs being welfare programs.

I simply wanted to respond to the Senator from Iowa in this fashion. What I said was that once a welfare state program is instituted, it is very difficult to get rid of it even if the need for it has been eliminated or reduced. That, in my opinion—and I know the distinguished Senator from Iowa disagrees with this opinion—but in my opinion, the LIHEAP Program is a program which was originally intended to be temporary. That is a fact. But it has now become permanent notwithstanding, in my opinion, the fact that the need for it has largely been eliminated or reduced, thus demonstrating a program instituted for very good reasons but, in my view, which no longer is justified—as distinguished from the Pell Grant Program. I think none of us would argue the need for that has been reduced or eliminated.

So my point is not that one is welfare and one is not welfare in the broadest sense of the term, as the Senator from Iowa noted, but rather that the need for one has largely been eliminated, yet it is very difficult if not impossible for us to eliminate these programs once they have begun.

To the point that the energy costs are about the same as they were, I can only cite the statistics from the Clinton administration budget submitted in 1995. And I am quoting now.

> [F]uel prices have decreased by 40 percent in real terms; the cost of electricity has dropped by about 13 percent in real terms; and the percent of income spent for home heating for households at or below 150 percent of poverty guidelines has dropped by about one-third.

That is the reason for my assertion that the energy costs have indeed gone down dramatically.

Mr. HARKIN. If the Senator will yield for this colloquy, just yield for a question. Even taking the Senator's figures, if the real prices have dropped by a third, the fact is that since 1985 the LIHEAP Program has come down 50 percent. So we are spending half as much money today. Of course, in real terms it would be even less than that, if you adjusted for inflation. I am just talking about the actual dollars. It's $2.1 billion in 1985, it's $1 billion now. So, even if the cost—I ask the Senator to think about this and see if my reasoning is wrong here—even if the cost of energy has come down by a third, if in fact the amount of money we are putting in the program has come down by over a half, does that not compute out to the fact that there is less money going into the program today and that less money is there to meet the heating

needs of those families who are getting the money?

Mr. KYL. Relatively speaking, the Senator from Iowa is certainly correct. We would simply then engage in a philosophical debate as to whether or not, if that number continued to drop to one-third and one-tenth and so on, whether the program should continue. My view would be this was a temporary program designed to meet a temporary need, that it was never designed to pay for 100 percent of the bill for heating, and therefore there is a point at which the need for the program should go away, when the prices have been reduced to a certain point. He and I obviously simply disagree about what that point would be.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise in opposition to the amendment offered by the distinguished Senator from Arizona, which would cut funding severely for the Low-Income Home Energy Assistance Program and increase funding for the Pell Grant Program.

There is no stronger supporter of the Pell Grant Program in the U.S. Senate than I. In fact, very shortly I will be introducing legislation to expand working students' eligibility for Pell grants. However, when faced with this amendment, I must ask the question: Are we so poor a country that some must be cold, go hungry, forgo medications so that others may learn? The answer is obvious. This amendment presents a false choice.

Maine is well known for its cold and very long winters. Many of Maine's residents, along with the citizens of other Northern States, are heavily dependent on the aid provided by LIHEAP in order to heat their homes during the cold winter months. Without the assistance of LIHEAP, 33,000 of Maine's most vulnerable and needy citizens—I am talking about elderly people, the disabled, and very low-income families—will go without adequate heat during the coming winter or will be forced to forgo medications or even food. We must not allow this to happen.

As Senator SPECTER and Senator HARKIN have noted, 70 percent of the people receiving this home heating assistance have incomes under $8,000 a year. We are talking about people who are very needy. This bill's funding for LIHEAP is not excessive. In fact, it's approximately the amount that was spent last year, and that amount was not adequate to serve all of the people needing assistance. Last year this program provided 33,000 Mainers with an average subsidy of $308. That is only enough to buy a couple of tanks of heating oil. For many, this small amount of help is, however, the difference between being in a comfortably heated home and freezing.

This is not an excessive expenditure. Failure to appropriate at least this amount will only result in a call for emergency funding later this year, an event that has occurred in each of the past 4 years. I agree with the able and distinguished Senator from Arizona that funding for Pell grants should be increased, but I cannot support a reduction in LIHEAP as a means of accomplishing this.

A recent editorial from the Portland Press Herald in my State put it well when it stated:

> The idea of LIHEAP may seem frivolous to lawmakers from warm, southern States. However, the subsidy remains essential to residents in colder climates. That's especially true now when welfare cuts and a rising cost of living have pushed so many poor families so much closer to the edge. Asking low-income and elderly Mainers to choose between filling their fuel tanks or their cupboards is not fair.

I conclude my remarks by stating that asking the U.S. Senate to choose between LIHEAP and Pell grants is also not fair. It is a false choice and I ask my colleagues to oppose the amendment offered by the distinguished Senator from Arizona.

I yield the floor.

Mr. SPECTER. Mr. President, I am advised that the vote will not occur until 3 o'clock under our scheduling. So, if there are any additional speakers who wish to come to the floor at this time, we invite them to do so.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I am aware the Senator from Minnesota, Senator WELLSTONE, had desired to speak against my amendment here. I am not aware of anyone else who intends to speak on it.

I urge my colleagues to support my amendment.

Do I understand there has been an agreement reached to have the vote at 3?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SPECTER. Mr. President, as is usually the case, there are absent Senators, one not due to return until 1 o'clock. We then have a conference until 2:15. Then there are hearings. So it will be our expectation, subject to checking with the distinguished majority leader, that the vote on this amendment would occur at 5 o'clock. But it would be our expectation that this would conclude the debate on the amendment. It wouldn't absolutely foreclose somebody who wanted to come down and speak on the matter, perhaps, briefly, but that would conclude the debate and we would hope to set the vote here for 5 o'clock and perhaps stack it with other votes at that time.

Mr. HARKIN. If I might just ask the distinguished chairman.

Mr. SPECTER. I yield to my colleague.

Mr. HARKIN. Obviously, we are open for business now. There are other amendments that I have heard about that are out there. So if other Senators have them, now is the time to come over, and perhaps if amendments are offered now and after the caucuses, after the 2:15 time, we could stack a bunch of votes at 5 o'clock. I know Senators like to do that, because they can schedule their time a little bit better. I hope any Senators who have amendments will come over now before we break for our party caucuses or come over at 2:15 and then we can stack the votes at 5 o'clock.

Mr. SPECTER. If my distinguished colleague will yield, Mr. President, I think that would be a good arrangement. I said earlier, repeating what we said yesterday, it is our hope to finish action on this bill this evening. That is what we said yesterday after concurring with the majority leader. There is one possible exception to that, and that would relate to a possible amendment to preclude any funding for the administration testing, and an issue arose yesterday as to whether that amendment might be offered. Secretary Riley called Senator HARKIN, myself and others yesterday, and we have scheduled a hearing for tomorrow morning at 9 o'clock so that we may have a better factual understanding on that matter before the vote comes up, if it does come up. It would be our hope we can conclude action on the bill this evening, with the exception of that possible vote following the hearing tomorrow morning.

Mr. President, I ask unanimous consent that the pending amendment be set aside so that we might receive an amendment by the distinguished Senator from Missouri, Senator ASHCROFT, on a matter which I believe is acceptable to both sides. This involves an issue which has been resolved after laborious debates on related subjects, and it is one where the House of Representatives has worked out an accommodation. The amendment will now be offered by our colleague from Missouri.

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

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, I thank the Senator from Pennsylvania and the Senator from Iowa for their allowing me to bring this amendment to the floor at this time.

AMENDMENT NO. 1061

(Purpose: To provide for limitations with respect to expenditures for abortions)

Mr. ASHCROFT. 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 Missouri [Mr. ASHCROFT] proposes an amendment numbered 1061.

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

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

The amendment is as follows:

On page 77, strike lines 6 through 11, and insert the following (and redesignate the following section accordingly):

SEC. 508. (a) None of the funds appropriated under this Act shall be expended for any abortion.

(b) None of the funds appropriated under this Act shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term ''health benefits coverage'' means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 509. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of medicaid matching funds) for abortion services or coverage of abortion by contract or other arrangement.

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider or organization from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of medicaid matching funds).

Mr. ASHCROFT. Mr. President, as a result of this amendment having been agreed to by both sides, I urge the adoption of the amendment.

The PRESIDING OFFICER. Is there debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 1061) was agreed to.

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, I am pleased to have this opportunity to have updated our appropriations legislation so that the traditional Hyde amendment, which forbids and prohibits the utilization of Federal funds in abortions, could be a part of what we are doing as it relates to HMO's. Government's role is to help people to respond to their highest and best in life. However, I don't believe the highest and best utilization of Federal funding would be to fund the destruction of children in this country. For a long time, the Congress of the United States has agreed that Federal funds would not be used in conducting abortions.

Yet, as developments transpire in health care, and as we change from one sort of service delivery system to another, old policies might need clarification to make sure that we do not change the prohibition on Federal funding for abortions. Let me explain.

Twenty-one years ago, Congressman HENRY HYDE offered an amendment to the then Labor-HEW bill to ban Federal funding of abortions. Every year since then, Congress has adopted that amendment. While there is substantial disagreement in America over the practice of abortion—very substantial disagreement—there has never been majority support in this body for Federal funding of abortions. As a matter of fact, there has been substantial agreement that we should not force Americans to pay with their Federal tax dollars for elective abortions.

Many individuals simply feel that as a matter of conscience, they should not be participants in the destruction of unborn lives. I happen to be one of those individuals.

The opposition to Federal funding for abortion has been so consistent in Congress and in America that normally the Hyde amendment is just included in Labor-HHS appropriations bills and passed with no discussion. In fact, that traditional Hyde amendment is in the bill which we are debating today. However, after 21 years, the language needs to be clarified, and I say ''clarified'' because we are not expanding it nor weakening it, we are just making its meaning crystal clear.

To keep up with rapidly changing health care delivery modifications in Medicaid, and to prevent misinterpretations of the life-of-the-mother exception, a technical change to the Hyde amendment is necessary if the amendment is to continue to prevent Federal tax dollars from subsidizing elective abortions. Such a subsidy would be a mandate on the U.S. taxpayers to pay for elective abortions. It would literally be an affront to the American people to take their money and demand that it be used to destroy unborn children. Such a Federal taxpayer subsidy would further sear the American conscience. It would offend the moral sensitivity of a great many Americans.

The Hyde amendment in its current form may allow such subsidies to occur in today's health care environment. Just as other laws have had to be tweaked to function appropriately with HMO's, so does the Hyde amendment.

The Medicaid Program has traditionally been a fee-for-service health care delivery system, and the Hyde amendment was written with that kind of system in mind. Under the system, it was relatively easy for the Government to block any utilization of Federal tax resources for subsidizing abortion.

However, as the Medicaid structure is rapidly changing, many States are experimenting with delivery systems such as managed care, in which Federal funds are used to help pay for premiums for complete benefit packages instead of reimbursing for specific procedures after the fact.

According to HCFA, 9 percent of Medicaid patients were served in managed care plans in 1991. By 1996, that figure had risen to 40 percent, and it is important to make sure that those health care packages, which are purchased with Federal resources, do not include the destruction of children in elective abortions. The use of Medicaid managed care is expected to continue to increase in the future, and there is a legitimate concern that since the Federal Government no longer receives billings for specific medical services under these managed care contracts, but simply pays for a portion of the overall premium, that some States might allow coverage of abortion on demand with these federally funded contracts.

For example, under a fee-for-service structure, we would never allow a bill from a provider to be paid for an elective abortion. However, when you are paying for medical services in advance in a lump sum to an organization like an HMO, and in return for that lump sum they are meeting the medical needs of individuals, you don't get individual bills. So there would be no way to make sure that you weren't paying for elective abortions in such a setting, absent the clarifications which we are placing in the law today.

Federal subsidy of elective abortions has never been the intent of Congress. The amendment which we have adopted today will make sure that we continue to state with clarity that, regardless of the method of payment for Medicaid services, Federal resources are not to be used to destroy the lives of unborn children in elective abortions.

How will this new change apply in practice? Federal funds are currently used to pay the premium or capitation fees to enroll Medicaid patients in managed care plans. Without any accountability to the Federal Government, those plans could routinely provide abortion alongside other benefits as part of their complete packages. The HMO gets an amount of money. It provides a complete package of health care service. Technically, under this payment structure, the Federal funds are never used to pay for a particular service or a particular abortion, but, in practice, they could be used to subsidize abortions beyond those permitted by the Hyde amendment. To prevent this from happening, today we have updated the Hyde amendment to specify that States may not use Federal money to purchase health care coverage that includes abortion coverage.

Precedent exists for clarifying such a Federal funding limitation. Congress already considered this indirect funding situation when it gave almost unanimous approval to similar language in the Assisted Suicide Funding Restriction Act which Senator DORGAN and I introduced earlier this year. President Clinton signed this legislation on April 30, so we have an existing law on the books that deals with this issue. The Assisted Suicide Funding Restriction Act stated that no funds could be appropriated for the purpose

of paying, directly or indirectly, for health benefit coverage for assisted suicide, euthanasia, or mercy killing. We are using similar health benefits coverage language in this bill.

In the abortion context itself, we have precedent, in that a similar provision was included in the so-called kid care legislation passed in the reconciliation legislation which the President signed on August 5. Congressional leaders and the administration negotiated this language, which the Senate approved by a vote of 85 to 15.

Also, similar language on abortion funding was approved by the 104th Congress without controversy as a part of Medicaid revisions in the fiscal year 1996 OBRA bill which the President vetoed for reasons unrelated to this issue.

It is important to point out that we should not have the wrong incentives in our Medicaid Program, and it is true that it is cheaper to abort a child than it is to care for the mother through the pregnancy and to deliver the child. I would be very leery about having a system where the Federal Government provided an amount of money to an HMO which, having a financial incentive to do the cheaper thing, aborts the child rather than encouraging the mother to have the child and provide for delivery. And similarly, I have serious reservations about the potential for assisted suicide, where the HMO could deliver lethal drugs to a patient and, as a result, reduce the cost of doing business. We want to have incentives to life and incentives to health, especially for HMO's who might otherwise be tempted by financial situations not to encourage individuals to fight the fight for life.

Whenever the lives of unborn children are destroyed, I believe there is a toll on the American conscience, and I think it is substantial. When Government provides an opportunity for abortion with Federal funds, we certainly find ourselves in a serious situation where the moral fabric of the country would be stretched, if not permanently torn. I am pleased today that the Senate has agreed to say that we should not provide the opportunity for elective abortions to be funded by Federal resources, even in the HMO setting.

In each such instance where Government is making a judgment, it needs to make a judgment that favors life, that respects the lives of children, that provides for the dignity of the lives of older Americans as well. Any time we unduly disregard and devalue life, we have carved something important out of the American personality.

If we are to indelibly stamp the next century with American values, the values of opportunity and freedom, as we have in this century, if we are to be a leader in the world, as we have in this century—and there are hundreds of millions of people that are free today around the globe because we have been strong and we have been free and we have been dedicated to freedom—we need all of our resources, we need the moral fabric of America, and we cannot destroy it or unduly sear the conscience of Americans by requiring the payment for elective abortions out of Federal tax dollars.

I say as well that we need our children. As we look to the next century, America will not survive without our children. Destroying children is contradictory to preparing for the future.

I believe that the assault on the sanctity of life is a moral crisis and that any use of taxpayer funds to pay for such an assault and perpetuate the destruction of America's children would be disabling to the moral compasses of all Americans.

When he wrote on slavery in America, Thomas Jefferson, the South's first and greatest President, confronted the great moral issue of his time. Jefferson said of slavery, ''I tremble for my country when I reflect that God is just and that his justice cannot sleep forever.'' Sometimes I tremble when I reflect on abortion's terrible toll on lives and the siphoning off of our moral indignation and our capacity to prepare for the next century.

I am pleased the Senate today has taken a very clear step in saying there will be no Federal funding of elective abortions in the Medicaid HMO setting, just as we have for over 20 years provided that there would be no Federal funding for elective abortions in Medicaid fee-for-service programs.

I thank the Chair, and I thank the managers of the bill.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, this amendment conforms the provisions of the Hyde amendment, which were developed for fee-for-service, so that the same limitations would apply on Medicaid, on managed care.

This has been a very controversial issue for many years and has taken up the attention of this Chamber and the House of Representatives. After many votes and a lot of deliberation and a lot of negotiations, the Hyde amendment has been crafted in its existing form as it applies to fee-for-service, and this carries it forward to managed care.

I am advised that in the House of Representatives they have worked through this same amendment and have made the request, through their staff, that we have it accepted here. We had intended to put it in a managers' package. I have conferred with my distinguished colleague, Senator HARKIN, who is on the floor at the present time. The distinguished Senator from Missouri discussed it with the managers and sought to offer it in the form that it has been offered and to make a statement. I think that concludes the matter in a way that has existed for many, many years as an accommodation of many complex and conflicting issues.

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. I thank the Senator from Pennsylvania for his accommodation in this respect. He is entirely correct; this extends the same protections and the same regime of Federal funding to the HMO setting that we have had in the fee-for-service setting, and it is appropriate that we extend the commitment of the Congress in this respect.

Mr. ABRAHAM. Mr. President, despite their many disagreements, supporters of both the pro-life and pro-choice positions on abortion have been able to agree on one fundamental point: American taxpayers should not be forced to subsidize abortions. This is a consensus view of long standing.

Back in 1976, Congress first passed what has come to be called the Hyde amendment. First introduced by Congressman HENRY HYDE of Illinois, this amendment prevents the use of Federal funds to pay for abortions. Specifically, the Hyde amendment prevents Federal Medicaid reimbursement for abortion procedures, with certain exceptions. This provision has proven effective without being excessively onerous.

Now, however, the nature of health care services is changing. Traditional fee-for-service Medicaid programs in many cases are giving way to managed care. Indeed, according to the Health Care Financing Administration [HCFA], 40 percent of Medicaid recipients were served by managed care plans in 1996.

This surge in managed care requires that we alter the Hyde amendment language to ensure that taxpayer dollars will continue to be protected from use in abortion procedures. This is necessary, Mr. President, because, under managed care delivery, Federal funds are used to help pay premiums for complete benefits packages instead of reimbursing for specific procedures.

I would like to thank Senator ASHCROFT for offering an amendment that would close this loophole. This updated language specifies that States may not use Federal funds to purchase, in whole or in part, health care packages that include abortion coverage. States should be able to use their own separate funds to purchase additional abortion coverage.

Mr. President, this language represents no departure from our existing policies. Rather, it is a measured attempt to maintain current policies, regarding the use of Federal funds for abortion, in the face of changing circumstance. Similar language to that being proposed has been used already, in the Assisted Suicide Funding Restrictions Act, and in the Fiscal Year 1998 Budget Reconciliation Act.

This language is the product of a compromise reached by Congressman HYDE and pro-choice Congresswoman NITA LOWEY. It should, in my view, be noncontroversial.

Mr. SPECTER. Mr. President, Senator HARKIN and I are now looking for business. A solicitation, I believe, is appropriate under these circumstances. As we had announced yesterday and today, it is our hope we will finish this

bill today. We ask that any Senator who intends to offer an amendment to let us know by noon today.

There may be one amendment which we cannot complete today. That involves the limitation of funding on testing proposed by the administration. As I had said earlier, Congressman GOODLING has stated publicly his intention to offer such an amendment on the House appropriations bill. It had been suggested that a similar amendment be offered on this bill.

Secretary of Education Riley contacted Senator HARKIN and I, and others, yesterday on this subject. Senator HARKIN and I, in collaboration with our committee chairman, Senator STEVENS, have scheduled a hearing tomorrow morning at 9 o'clock. So if that vote is to occur on the bill, it would occur after we have been informed on some of the specifics of the administration's proposal.

So we are now looking for amendments.

In the absence of any Senator seeking recognition, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ROBERTS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THOMAS. I will talk for just a few minutes on the bill before the Senate. Of course, we are talking about the Labor, HHS, Education bill, one of the largest bills before the Senate. As a matter of fact, a total of about $270 billion of expenditure. Only about $80 billion of that are we really discussing because that is discretionary. The rest are entitlements.

However, I do think it is illustrative of one of the things I feel very strongly about, and that is the opportunity to have oversight on the expenditure of large amounts of tax money, or small amounts for that matter.

I want to make it clear that I will support this bill. I think the appropriations folks have worked hard on it. I have no particular quarrel with what they have done, but I want to make a point that it seems to me this system needs to be reviewed. The system needs to be changed. I cannot think of another institution in the civilized world that spends $270 billion annually and has no more oversight than we do in the U.S. Congress. We have a remedy for that. We think we ought to go to a biannual budget so that we would do this on a 2-year basis, which has some advantages. It allows the agencies to know what their funds will be for a longer period of time. But more importantly, in this instance it allows the Congress to have some oversight of the efficiency of the spending of these dollars.

For example, Mr. President, we are talking here about drug abuse prevention and treatment programs, $2.8 billion. I am for that. We certainly need drug abuse prevention and treatment programs. But how are they working? Is the $2.7 billion giving us the kind of results we hoped it would? I do not think we know that. Now, certainly there is some oversight.

We are also talking about Head Start, $4.3 billion for Head Start. I am a fan of Head Start. I think it is a program that brings young people, in their early formative ages, into a position of having some hope, to help form their lives. Is it doing the job? Are we spending the money as efficiently as we might? Are the dollars going to the people that really need the help? I do not know that. I do not know that.

Job Corps; I am not a particular fan of Job Corps. Nevertheless, we are spending $1.3 billion on Job Corps. What are the results? What are we doing? Who is being helped? Is the help getting there? What is the administrative cost and the overhead?

It seems to me those are things that we ought to be as interested in as we are in providing funding for the programs, and I think taxpayers are entitled to have that kind of oversight.

Individuals for Disabilities Education, IDEA. I am very, very impressed with that. My wife is a special ed teacher. I was chairman of the Disabilities Council in Wyoming. There is nothing more important. But the question is, are we spending the money as well as we might? I find some administrators in schools who say, ''Look, we have to change this or we will never be able to afford the kinds of services for the handicapped because we are always in court,'' and we do everything to avoid courts.

If that is the case, it seems to me we ought to take a long look at what is happening to the bucks. Who are they going to? Are they as efficient as they possibly could be? Are the regulatory constraints something that disallow the efficient spending of this money?

With respect to the Government Performance and Results Act, which I also support and think may have some merit, this is to improve the management of Federal agencies, to require emphasis on planning, hopefully on results. Planning, I hope has in it measurable activities so we can see if we are making progress. Here is what the committee says: ''We were encouraged the Federal agencies are making an effort to fulfill their requirements.'' Frankly, Mr. President, that is not good enough—we are hopeful they are making an effort to fulfill the requirements. Give me a break. We are spending $280 billion, $70 billion on the things we are talking about here in discretionary spending.

Let me make it clear one more time that I am not opposed to these ideas. These are programs we need to have but we also need to have oversight. We need to make as sure as we can, as the U.S. Congress, that those dollars are producing the best results that we possibly can.

I hope we will take a long look—I think we should—at the idea of biannual budgeting, and give us an opportunity to have oversight. The authorizing committee should, in fact, have the opportunity to do that.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. MOYNIHAN. Would the distinguished Senator from Wyoming have the goodness to remain on the floor for a moment—I know he has a party conference to go to—just to allow me to congratulate him on his remarks.

Two of the programs he mentioned, the Job Corps and Head Start, it happens I was a member of the Kennedy-Johnson administration. I was an Assistant Secretary of Labor and was on the group that put together the Economic Opportunity Act in 1964 which led to Head Start and to the Job Corps. These are not new initiatives. They go back now a third of a century. I didn't mean to think of myself as that ancient already.

It is the case, sir, that we have had very little evaluation, very little longitudinal evaluation, where we follow things over time—persons who entered the Job Corps in the 1960's will now be getting into their own fifties—and what has been the result cumulative, one way or the other. This is not something very attractive to governments that live on 2-year cycles, 4-year cycles and, at most, 6-year cycles, yet if we want to do something about these matters we ought to attend them in exactly the mode the Senator spoke of. This can be done.

The mathematics, if you like, of evaluation have been very much in place since the Civil Rights Act of 1964 authorized the Coleman study. It was called an equality of educational opportunity in which we learned great things which surprised us. We thought we knew all about education in those days and we found out we knew very little. I am not sure we have learned much since.

I take the opportunity to thank the Senator from Wyoming for what he has said, and I hope he will stay with the issue.

Mr. THOMAS. Thank you. I appreciate the comments of the Senator from New York. I suspect there is nobody in this body who has the kind of background institutional knowledge about these programs as the Senator. I appreciate your comments.

I yield the floor.

(The remarks of Mr. MOYNIHAN and Mr. D'AMATO pertaining to the introduction of S. 1144 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having long since arrived, the Senate will now stand in recess until the hour of 2:15.

Thereupon, the Senate, at 12:38 p.m., recessed until 2:15 p.m.; whereupon, the