

Mr. KENNEDY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Chair would just inform the Senator that, under a previous order, each Senator is allowed to speak for up to 10 minutes as in morning business.

Ms. MOSELEY-BRAUN. Thank you very much. I am pleased to hear it. I will not take the 10 minutes.

The PRESIDING OFFICER. The Senator from Illinois.

OUR CRUMBLING SCHOOLS

Ms. MOSELEY-BRAUN. Mr. President, tonight the President of the United States will address the country in the State of the Union Address and much of the focus of that speech, we have been told, will be on the subject of education, something that I know the Presiding Officer has worked on over the years, and certainly I have worked on as my No. 1 priority since I came to the U.S. Senate. I am really pleased, however, that among the items in the area of education that the President will touch on is a particular item that I have labored long and hard on since I came to the Senate, and that is the issue of our crumbling schools.

The President will tonight propose an initiative to rebuild our crumbling schools by making available support for local efforts to deal with the facilities and the infrastructure of their schools in the respective parts of the country.

The centerpiece of the proposal that will be announced tonight is a plan to provide tax credits to help stimulate local school construction and modernization. The plan will help States and school districts address the enormous backlog of deferred maintenance to upgrade their schools to incorporate and accommodate modern technologies and to build new classrooms to accommodate soaring enrollment where appropriate.

The plan—and I would like to talk specifically about it—will propose the creation of a new class of zero-interest bonds which can be used exclusively for school facilities and infrastructure development. Instead of receiving interest payments on these bonds, purchasers of the bonds will instead receive Federal income tax credits.

This innovative plan will stimulate at least \$22 billion—\$22 billion—worth of school improvements over the next several years. Frankly, it is exactly the kind of new thinking and the kind of new partnership and innovative and creative financing that we will need to address the issue of our crumbling school infrastructure.

I would like to take a moment to revisit how this issue came about. Com-

ing out of State and local government, I was very concerned that we maintain, on the one hand, the values of local control of education, but at the same time find some way to relieve the pressure on the local property taxes that elementary and secondary education so often requires.

Among the issues that seemed to me to be the most pressing and the most difficult for local districts to address was the question of school facilities. The buildings in which many of our children go to school are literally falling down around them. Most of these buildings have been built a generation ago when I was in school or the Presiding Officer was in school. Frankly, over time, these things just wear down. So you can see all over, certainly all over my State of Illinois and, indeed, all over the country, that our school facilities are crumbling right in front of us. Students talk about the fact that the windows are broken or the roof leaks or the lights—it even got to the point where Charles Schulz with the Peanuts cartoon did a series where Peppermint Patty is sitting in the classroom and raindrops are falling on her head.

The point is, we can do better. So I commissioned a study by the General Accounting Office to look at the issue of crumbling schools. They went around and did a really exhaustive and highly acclaimed survey in which they documented \$112 billion worth of deferred needs in terms of our school infrastructure; \$112 billion required to rebuild the schools, to fix the plants, to provide our children with an environment that is suitable for learning.

In addition to the aesthetics of it, that we want our kids to go to classrooms that are comfortable, consider for a moment that you cannot use a computer unless you plug it into the wall. If the electrical system is not there, then we will be denying our youngsters the opportunity to get trained, denying our work force the opportunity to be trained to compete in this global economy. It seems to me this is something of national importance and import and that it makes sense for the Federal Government to weigh in to help local districts meet the needs, the \$112 billion worth of needs, all over the country.

I started down this trail attempting to get a modest appropriation. I went in and got \$600 million authorized and \$100 million appropriated to this end. Then in the Congress of 1994, the \$100 million that I had gotten appropriated for rebuilding the crumbling schools was taken back in the rescission package. So there was no money for it.

We started the ball up the hill again, and the second time around, we were able to get the support of the White House and the Department of Education, and they proposed a \$5 billion tax credit program to do this. That went up through committee and then eventually fell because of the lack of support last year.

We have continued with this. Frankly, at every step of the way, even though we failed to actually get the full appropriation that we wanted, the public support built and built and built to the point that in the last session of the Congress, when we passed the Tax Relief Act, we were able in that bill to get some support for local districts going into the capital markets to borrow money. We changed the arbitrage rules a little bit. We raised the bond cap. So we were able to get some financial support but certainly not the \$5 billion that we had hoped to get.

Now the issue has gotten to the top of the pop charts, and polling data tells us again that 79 percent of the American people think there is an appropriate Federal role in rebuilding educational facilities.

This proposal that the President will announce tonight will allow us to access about \$22 billion—now, that is not the whole \$112 billion—but \$22 billion will help local districts repair their crumbling schools without having to increase property taxes. It seems to me that that is an absolutely appropriate role for us to take, given the national security interests, given the future of our work force, given the national stakes in all of this. If we can begin to have Federal support of elementary and secondary education in ways that preserve local control of education but allow us to contribute national resources to the enormous task that is before us, then we would have done our duty, frankly, by this next generation.

So I am very pleased that the creative financing proposal that will be mentioned tonight represents a new direction, a new partnership. I believe firmly that the days when we can point fingers and say, "Well, it's the local taxpayers' fault that the schools are falling down," or, "It's the State government's fault the schools are falling down," or somebody else's fault, the days of fingerpointing are over. In fact, my mother used to say, when you point a finger, you always have three of them pointing back at yourself.

If we can begin to have a new kind of partnership where States and local governments and the National Government work together to provide our children with the education that they need and the work force development that our country deserves, we will have discharged our responsibility to them and to the future of this Nation.

We certainly have every opportunity with this proposal to go forward and pass this legislation. I am hopeful that we will do better this time around in achieving bipartisan support for the approach that says this is a new partnership; this new partnership will maintain local control and will give, if anything, local governments some financial support with regard to the challenge they face in rebuilding their crumbling schools.

I am very excited about it, but having had two previous successes that were undone, I am not going to get

overly excited until such time as the President actually signs the bill. But I am very encouraged, Mr. President, that the force of this idea has continued to support it and the force of this concept means, I think, that it is an idea whose time has come. That being the case, I feel very confident that, if not now, we will eventually pass legislation to rebuild our crumbling schools so that America's schoolchildren are given suitable environments in which they can learn.

With that, I thank the Chair and I yield the floor. 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.

RESERVE JUDGMENT

Mr. SPECTER. Mr. President, I have sought recognition to comment on statements made earlier today by Senator LEAHY concerning Independent Counsel Kenneth Starr. Senator LEAHY has challenged Mr. Starr on a number of items, matters of very substantial concern.

I telephoned Mr. Starr to find out what the facts were. Both Senator LEAHY and I are on the Judiciary Committee, which has oversight over the Department of Justice and also the independent counsel. Senator LEAHY began his presentation by noting that he had spent nearly a decade as a prosecutor, and I have a similar background, actually a little longer than a decade, but about the same. Senator LEAHY then commented about his concern about law enforcement being nonpartisan and nonideological, and on the facts. I most certainly agree with Senator LEAHY on his assertions to that extent. Then Senator LEAHY proceeded to criticize Mr. Starr for conducting a partisan investigation, for making leaks to the press, by coordinating the investigation with what is going on in the civil case involving Ms. Paula Jones, and charging that there was a sting operation to engage the President of the United States in secretly recorded conversations. All of these are obviously very serious accusations.

Mr. President, it seems to me that the current controversy involving the President and Ms. Monica Lewinsky is something that ought to be put behind the country at the earliest possible time. I made public statements last week when the President was questioned about this matter, while Chairman Arafat was in his office, and said that I thought it inappropriate to have that question and bad practice for the President to respond to that question, and made public statements last week and over the weekend about what I consider to be an unwise media frenzy

on this matter—that we all ought to wait and see what the facts are before coming to any conclusions, and in the interim the President ought to be permitted to carry out his duties because they are very, very important duties.

I agree with what Senator LEAHY said when he recited the issues of foreign policy, Iraq, the State of the Union, and the matters which the President has to deal with.

There have been many reports in the press about what Mr. Starr did and how he got into this investigation and whether his activities were an inappropriate extension of what he had been authorized to do prior to the time he took his first steps on this matter involving Ms. Monica Lewinsky. Mr. Starr told me this afternoon in a telephone conversation that he did engage in a consensual monitoring in the eastern district of Virginia on a conversation with Ms. Linda Tripp and Ms. Monica Lewinsky. It was a consensual monitoring because it was consented to by Ms. Linda Tripp. Mr. Starr told me that Ms. Linda Tripp had been a witness on independent counsel matters in the past involving the White House Travel Office and Mr. Foster, and that the consensual monitoring was undertaken to corroborate what Ms. Linda Tripp had told Mr. Starr independently.

Mr. Starr said it was an appropriate exercise of his existing jurisdiction because in his investigation involving Mr. Webster Hubble, Mr. Hubble's situation involved a matter where an individual was involved in providing job arrangements for Mr. Hubble outside the District of Columbia with a certain prospective employer. Mr. Starr said that the same person was involved in providing a job opportunity for Ms. Monica Lewinsky outside the District of Columbia with the same prospective employer and that this connection was sufficient for Mr. Starr to proceed with this consensual monitoring, which Mr. Starr pointed out was done professionally by the FBI and, as Mr. Starr described it, in a completely appropriate manner. Mr. Starr advised that he then took this matter to the Department of Justice after he had completed the consensual monitoring.

Mr. President, I will not become involved here in what the factual allegations are, what Ms. Tripp said or what Ms. Lewinsky said, because the issue which concerns me and the thrust of what Senator LEAHY complained about is the propriety of Mr. Starr's activity, and that need not involve the allegations and the substance. I think there has already been enough talk about that, in any event.

Mr. Starr then advised that he took the tape recordings to the Department of Justice, met with the senior attorney and the public integrity section. There was a collaborative determination between the Department of Justice and independent counsel as to who should carry out the further investigation. Mr. Starr advised that the Attor-

ney General then asked the special court of the District of Columbia Circuit to specifically enlarge Mr. Starr's jurisdiction so that he could proceed with this investigation.

Now, we all know that Attorney General Reno has been very circumspect in the independent counsel issue as to appointment and as to extending jurisdiction—that has been a subject matter which has been talked about on this floor a great deal, to a substantial extent by this Senator. But the facts as Mr. Starr outlined them are that he proceeded in this way just as outlined, which is entirely appropriate because of the connection between what happened with Ms. Monica Lewinsky and what happened with Mr. Webster Hubble. That was obviously approved by Attorney General Reno when she then acted on information which Mr. Starr brought to her to request the special court of the District of Columbia Circuit to enlarge Mr. Starr's jurisdiction.

I asked Mr. Starr further about the other statements which Senator LEAHY had made. I now quote from the transcript:

Senator LEAHY: I look at the continuing and very selective leaks and tactics employed by Mr. Starr's office over the last few years and particularly over the last few days.

I asked not only Mr. Starr about the leaks, which he emphatically denied, but also about the composition of the personnel who were handling this sensitive material, and Mr. Starr gave me some substantial detail about the attorneys who were on the matter in terms of their backgrounds and in terms of their professionalism, which Mr. Starr says is the effort made and he thinks is always the effort made, to avoid the leaks. We all know in Washington, DC, or for that matter, any place, the difficulty of establishing leaks, but if someone makes a contention, as Senator LEAHY does, as to leaks, the question is, what is the proof of those leaks.

Mr. Starr made an emphatic denial regarding the leaks, and spoke of the professionalism of the people that have the confidential information.

Senator LEAHY went on to say earlier today, "I have seen reports of two weekends ago that he," referring to Mr. Starr, "was intent on conducting a sting operation to engage the President of the United States in secretly recorded conversations. Have we sunk this low, Mr. President, that we would do things like this?"

I asked Mr. Starr about that, and he emphatically denied it. I, too, have seen press reports about the proposed sting operation, but I think it is very important that as we accord the President the presumption of innocence and as we look for proof before coming to any judgments about anyone, that the same thing apply to Mr. Kenneth Starr, the independent counsel, and that a serious accusation about the sting operation ought to have some authentication and verification before it