



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145

WASHINGTON, TUESDAY, MARCH 9, 1999

No. 37

Senate

The Senate met at 10:30 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The PRESIDENT pro tempore. Today's prayer will be offered by guest Chaplain Rev. Michael V. Kelsey, Sr., New Samaritan Baptist Church, Washington, DC. We are pleased to have you with us.

The guest Chaplain, Rev. Michael V. Kelsey, Sr., New Samaritan Baptist Church, Washington, DC, offered the following prayer:

Let us pray:

Father, we thank You for this day and for this Nation. We pray and intercede for the men and women who are in positions of authority. We hold them up before You, that the Spirit of wisdom and discernment may rest upon each of them as they seek to do what is blessed in Your sight and right for Your people.

God, may the hearts and ears of these Senators be attentive to Your divine order. We believe You cause them to be men and women of integrity who lead with compassion and commitment, competence and character.

Your Word, O God, declares, "Blessed is the nation whose God is the Lord."—Psalm 33:12. And God, we expect to receive Your blessing as the ultimate One who can guide and govern the affairs of this Nation.

Thank You for this land and the leaders You have given to us. We say discretion watches over them; understanding keeps them; and godliness surrounds them.

May the words of their mouths and the meditations of their hearts be acceptable in Your sight, O Lord, our Strength, and our Redeemer.—Psalm 19:14. This is our prayer, in the name of the Lord.

Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader, the Senator from Pennsylvania, is recognized.

THE GUEST CHAPLAIN

Mr. SANTORUM. Mr. President, I, too, want to welcome Reverend Kelsey today and thank him for his inspirational prayer. He is one of the truly distinguished leaders of the church community here in Washington, DC.

Welcome back to Washington. You have been away for a while. It is good to have you back here, and it is terrific to have you here in the U.S. Senate.

Thank you for being here today.

Mr. KENNEDY. Mr. President, I join my friend, the Senator from Pennsylvania, in welcoming our distinguished guest Chaplain. I thank him very much for his presence and for his inspiring message to all of us. We are very grateful to him for joining us here today.

We thank him very much for all the good work that he does and continues to do for his parishioners.

SCHEDULE

Mr. SANTORUM. Mr. President, this morning the Senate will be in a period of morning business until 12:30 p.m. Under the previous order, Senator DURBIN, or his designee, will be in control of the time between 10:30 and 11:30 a.m., and Senator FRIST, or his designee, in control from 11:30 to 12:30 p.m.

Following morning business, the Senate will recess until 2:15 p.m., to allow the weekly party caucuses to meet. Upon reconvening at 2:15, the Senate will resume consideration of S. 280, the education flexibility partnership bill, for debate only, until 4 p.m., at which time the Senate will vote on the motion to invoke cloture on the Jeffords substitute amendment. Senators are reminded that, pursuant to rule XXII, second-degree amendments must be

filed by 3 p.m. in order to qualify postcloture.

MEASURES PLACED ON THE CALENDAR—S.J. RES. 13 AND S. 564

Mr. SANTORUM. Mr. President, I understand there are two bills at the desk due for their second readings.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 13) proposing an amendment to the Constitution of the United States to protect Social Security.

A bill (S. 564) to reduce class size and for other purposes.

Mr. SANTORUM. Mr. President, I object to further consideration of the measures at this time.

The PRESIDENT pro tempore. The measures will go to the calendar.

Mr. KENNEDY addressed the Chair.

The PRESIDENT pro tempore. The able Senator is recognized.

THE DEATH OF ALBERT MURRAY, FATHER-IN-LAW OF SENATOR PATTY MURRAY

Mr. KENNEDY. Mr. President, I want to take just a moment of the Senate's time to share with our family in the Senate a rather sad occasion that has taken place. Last evening, at about 7:15, after we had recessed, I had a call from our friend and colleague from the State of Washington, Senator MURRAY, the principal proponent of our smaller class size amendment, who told me that her father-in-law had passed away yesterday. She had been on the floor all day. She returned after a very full day here on the floor leading us in this discussion on the question of smaller class size to learn that her father-in-law, Albert Murray, at the age of 80, had passed on. He had been a small business man for many years. He lived in Seattle and was very much involved in the community in a range of different activities to ensure that that

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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community was going to be a better community.

The Murray family is a very close-knit family. They are an extended family. I had the opportunity to meet many of them at the time Senator MURRAY was initially sworn in here to the U.S. Senate.

She left last evening to return to the State of Washington to be with members of the family. I know all of us send our thoughts and prayers to Senator MURRAY, her husband Rob, and the entire Murray family. We are thinking about her and are mindful of her loss.

Mr. President, I yield myself such time that I might use.

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

EDUCATION FLEXIBILITY PARTNERSHIP ACT

Mr. KENNEDY. Mr. President, today we will vote again on whether to end this debate on education—prematurely, I believe—or do our part to help communities meet critical educational needs. After a very limited 2-day debate on education last week, the majority leader filed cloture to end debate on the bill. The next day he filed the same cloture motion to force a second vote on whether to end the debate. The first cloture motion was defeated yesterday; the second cloture motion will be defeated today. I believe we should stop playing procedural games and vote on amendments that are critical to communities across the Nation.

Republican intentions are clear. They do not want a debate on education. They do not want a vote on the critical educational issues facing the Nation's communities: reducing class size, recruiting more teachers, expanding afterschool programs, bringing technology into the classroom, reducing dropout rates, modernizing school buildings. And there is a shared responsibility in all of these areas between the local communities, the States, and the Federal government as well. Parents and communities have a central concern about ensuring that their children are going to be adequately trained as they move towards the new century.

We have an opportunity to do something about it, and we have, as we have demonstrated over the course of this debate, compelling evidence that each of these particular programs can really make a difference in children's achievement and growth, scholastically, in their local communities. No bill on the Senate calendar right now concerns more important issues than education.

These issues are important and timely. We start off this session with a very thin calendar. We have the time and we have the ability, as we have said on a number of different occasions. Under the leadership of Senator DASCHLE on this side of the aisle, we are prepared to agree to a small number of amendments with strict time limits that

could ensure a speedy conclusion to those amendments, even, probably, during the day today. We can all work together to reach a bipartisan consensus on education now, because the Nation's schools and children cannot.

Some Republicans insist that they won't agree now to any amendments which affect the Elementary and Secondary Education Act, but that position is untenable. The pending Ed-Flex bill directly affects the largest ESEA program, title I. It also affects a number of the other programs included in the Elementary and Secondary Education Act—the Education Technology, the Eisenhower Professional Development, and the Safe and Drug Free Schools programs. Yet we are now considering Ed-Flex long before it is ready for action.

We should also be able to consider other vital education issues, too. Ed-Flex is a good idea, because it gives States more flexibility in implementing Federal programs. It makes them accountable for how well Federal aid is used to improve the schools. It goes back to the initiative of our good friend from the State of Oregon, Senator Hatfield. I joined him in offering the initial Ed-Flex in 1994. I offered it as an amendment to Goals 2000, to permit another group of States to do so. I know this program. I support this program.

We have strong support for the Ed-Flex concept on this side of the aisle as well as the other side of the aisle. We want to make sure, when we provide scarce resources, that the local communities, when they get the scarce resources, are able to show how the changes in the education programs will enhance student achievement. That is what we are interested in. Families are interested, local communities are, States are; we should be as well. We are trying to give the assurance to families across the country that accountability would be a part of Ed-Flex.

Ed-Flex, as I mentioned, is a good idea, but flexibility and accountability mean little if we do not give communities the support they need to implement school reform strategies that work. If you take the time to read the General Accounting Office review of Ed-Flex, what springs out at you is what the GAO report stated was the greatest desire for the local communities. What they asked for was additional funding for education programs. That makes sense. Second, they wanted to know if there were other opportunities to enhance academic achievement. Third, they were looking for help and assistance in how to run their schools more efficiently and effectively.

Those are pretty reasonable ideas and ones that I think all of us can understand. That is what they were looking for, and we are attempting to try to assist with these other ideas that different Members have talked about over the period of the past few days to try to help the local communities.

Last year, with broad bipartisan support, the Congress made a substantial investment in improving the Nation's public schools. We increased funding for IDEA by \$500 million. We increased funding for afterschool programs by \$160 million. We increased funding for title I by \$300 million. And we made a \$1.2 billion investment in reducing class size in the early grades. Those were done with bipartisan support, including the commitment to reduce class size, the amendment that Senator MURRAY has championed in the Senate not only this year but last year as well.

Much more remains to be done. Good ideas to improve education deserve our strong support. We need to do more to help communities hire additional teachers and reduce class size. We need to support State efforts to raise academic standards and support communities and teachers who are helping children meet those standards. We need to modernize school buildings and repair crumbling facilities. We had the GAO report which estimated it will cost \$120 billion just to bring classrooms across this country up to standards. Many communities in urban and in rural areas just cannot afford to take on that particular challenge themselves. We have ideas about how we can assist local communities, not with a handout, but to help them ease the kinds of financial pressures on that local community in order to bring their school buildings and classrooms up to speed.

That is a very important concept, partly because without doing so it is more difficult for the children to learn. We find even in the city of Boston that when the temperature goes down to 15 to 20 degrees, 15 schools close down because their heating systems are not adequate. Automatically, 15 schools close down. There is an effort being made in the local community—the greatest increase in a school budget in terms of education, I think, of any major urban area in the country—but still it is taking time.

We can help in this area. It is not only important in terms of the physical facility, it is important in the message we send to the children. Every parent, when they see their child go off in the morning, is talking to that child about paying attention during the course of the day, working hard, doing his or her homework, getting extra help and assistance if it is needed. Every parent is to instill in them the value and the importance of education. But if the child walks into a classroom and it is dilapidated and not functioning or does not have an electronic system to hook up the various new kinds of technology, we are sending a very powerful, very simple message to those children. The parents may be talking about the value and importance of education, but we, as a society, are not prepared to put the resources into it to ensure that those children will go to a first-rate school. That is the message, and that is powerful.