



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 146

WASHINGTON, FRIDAY, SEPTEMBER 22, 2000

No. 114

## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, thank You for Your blessing. It gives us approbation, affirmation, a feeling of value, a sense of destiny, and an assurance of Your power. You have chosen, cherished, and called us to be Your sons and daughters. In Your providential planning You have placed each of us where we are and given us special assignments. Each of us has unique orders of the work we are to do. You provide power to help us, for You have ordained that if we do not do the work You have given us to do, it will not be done. So we report for duty with the delight that we have been blessed to be a blessing.

Help us to bless the people of our lives with a reminder of how much they mean to us. Heal our lock-jaw so we can articulate our appreciation of the gift each person is to us. May we be used by You to fill the blessing-shaped void inside of everyone needing to be filled by words of encouragement.

We will live this day only once. Before it is gone, may we bless all the people we can, in every way we can, with all the love we can. Help us not to waste today in selfish neglect of the people You have given us. Today is a day to receive and give Your blessing. In Your generous, giving, and forgiving name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable CHUCK HAGEL, a Senator from the State of Nebraska, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. HAGEL). The acting majority leader is recognized.

### SCHEDULE

Ms. COLLINS. Mr. President, today the Senate will be in a period of morning business throughout most of the day. The Senate may also resume debate on the motion to proceed to the H-1B visa bill. As a reminder, the first vote of next week is scheduled to occur at 4:50 p.m. on Monday, September 25. The vote is on final passage of the Water Resources Development Act of 2000. Also next week, the Senate will continue consideration of the H-1B visa bill.

I thank my colleagues for their attention.

### ORDER OF PROCEDURE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senator from Nebraska, Mr. HAGEL, be recognized for the purposes of morning business for up to 30 minutes at 11 a.m. today.

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

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business with Senators permitted to speak therein for up to 5 minutes each.

The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted

to proceed for up to 12 minutes to introduce legislation.

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

(The remarks of Ms. COLLINS and Mr. CLELAND pertaining to the introduction of S. 3096 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Georgia.

### INVESTMENT IN EDUCATION

Mr. CLELAND. Mr. President, one thing behind the growth of the American economy is our educational system. There is good news and bad news about our educational system today.

In a climate that currently seems filled with more dissent than accord, I think we can at least agree that elected officials on both sides of the aisle are in lockstep with the American people on the importance of education: It is a priority so critical that it should be at the top of our national agenda. This is a view very similar to the opinion held by President Lincoln almost 150 years ago. "Upon the subject of education," Lincoln said, "not presuming to dictate any plan or system respecting it, I can only say that I view it as the most important subject which we, as a people, can be engaged in."

Education's priority having been espoused by both sides during this Congress, it is profoundly disappointing that S. 2, the critically important legislation to reauthorize the landmark Elementary and Education Act, appears to be dead for this year. What a shame. It is apparent from the earlier floor debate on S. 2 that agreement breaks down on the condition of America's educational system today and on the course we should pursue to improve our schools.

Seventeen years ago our country was rocked by the publication of "A Nation at Risk." The findings were devastating: Our educational system was

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



Printed on recycled paper.

S9017

being "eroded by a rising tide of mediocrity that threatens our future as a nation and a people."

That landmark report went on to say that if "an unfriendly foreign power" had tried to impose on America our "mediocre educational performance," we might well have viewed it "as an act of war."

I have listened to some of my colleagues maintain that nothing has changed in the last 17 years—that American education continues on a downward spiral. They claim that the federal government's role in education is a source of national shame. Barring a radical change in course, they say, America's report card will continue to be a document of failure.

Mr. President, I agree that there is compelling need for improvement. In fact, if you ask the companies in the high-tech world in my State and around America, they know that some 300,000 to 400,000 high-tech jobs out there in this economy today are going begging for want of educated and talented people.

Every day in America almost 2,800 high school students drop out. This is not acceptable. Each school year, more than 45,000 under-prepared teachers, teachers who have not even been trained in the subjects they are teaching, enter the classroom. Who here among us believes this to be acceptable? Here in America fourteen million children attend schools in need of extensive repair or replacement. Who in this body would argue that we have to do better? As a nation we have witnessed school shootings—classroom tragedies which were unheard of 20 years ago. Who here would not do everything in their power to restore safety and sanity to America's schools?

But, Mr. President, I would argue that this is only part of the picture. "A Nation at Risk" was a wake-up call. Educators, parents, businesses, community leaders, and officials at all levels of government responded. Yes, serious problems still exist, but so do success stories. America's dropout rate is down—from 14 percent in 1982 to single digits today, including in many of our toughest neighborhoods. In my own State of Georgia, over 70 percent of high school students now graduate, a marked improvement over the 52 percent graduation rate in 1980. In 1950, only 5 percent of Georgians held college degrees. Now over one in five—22 percent—do.

And there's more good news. Nationally SAT and Advanced Placement test scores are up. Performance on the National Assessment of Educational Progress, NAEP, has increased, particularly in the key subjects of reading, mathematics, and science—with African American and Hispanic students making significant gains in both math and science.

Just consider: From 1994 to 1998, average reading scores increased at all three grades tested (4, 8, and 12). The average math score is at its highest

level in 26 years. And let us not forget that this progress is happening during a time when many states and school districts are raising standards and putting in place tough graduation requirements. This progress is happening during a time when U.S. students are taking more rigorous courses than ever. By 1994, 52 percent of high school graduates had taken the core subjects recommended by "A Nation at Risk," almost quadruple the 1982 number.

To those who over the last 20 years have uttered doomsday predictions about our failing schools, let me say that parents in this country, in overwhelming numbers, continue to send their children to public schools. In fact, ninety percent of children in the K-12 age group attend public schools. That's nine out of every ten children in this country. When America's school bell rang this September, over 53 million students returned to class, a record school enrollment. What's more, surveys show that most parents think their own child's public school is doing a pretty good job. It's other people's schools they fear are failing.

Mark Twain once said, "Get your facts first, and then you can distort them as much as you please." The facts, I believe, bear out that we have made progress since the publication of "A Nation at Risk." The facts also bear out that many of our education challenges continue to go unmet. In a survey on education issues conducted this past March, Americans were asked to list the major problems facing our public schools today. "Lack of parental involvement" topped the list, followed closely by "undisciplined students." The majority of respondents also cited "lack of retention of good teachers," "overcrowded classrooms," "lack of academic standards for promotion/graduation," "lack of teachers qualified to teach in their subject area," and "outdated schools" as issues meriting our nation's attention.

It all boils down to this central issue: Do we stay the course or do we reshape, dramatically, the federal government's role in education? I believe strongly that we should increase our federal investment in public schools, for surely the education of America's children is a vital national interest. I also believe that we should continue to work with the states and local school districts—who are now and who should and will remain the major education decision-makers in this country—to ensure that those federal dollars are spent on initiatives that aim to fix the specific problems in our schools which are causing the American people so much concern.

We need to be willing to invest the nation's dollars into improving the recruitment, retention, and professional development of our nation's teachers. What teachers know and can do is the single most important influence on what students learn, according to the National Commission for Teaching and America's Future Teachers.

In the American educational system, it falls to our States and local communities to set high educational standards and provide quality education so that all children can achieve to standards of excellence. While the federal government's precise role in education is open to debate, I believe it is unquestionably in our national interest for federal officials to work in cooperation with States and localities to promote educational excellence and to encourage standards-based reform.

We should work to ensure that parents have information on teacher qualifications and achievement levels at their child's school. One important way to improve our schools is to enable parents to hold schools accountable for progress and to give them choices they can exercise if progress does not occur.

Research has shown that class size directly relates to the quality of education. Students in smaller classes consistently outperform students in larger classes on tests, are more likely to graduate on time, stay in school, enroll in honors classes, and graduate in the top ten percent of their class. We need to help local school districts recruit, hire and train 100,000 qualified teachers to reduce class sizes in the early grades. It is an investment in reducing teacher turnover and in improving student performance.

Research also links student achievement and conduct to the condition of their schools. Yet fourteen million children in the U.S. attend schools in need of extensive repair or replacement. In my own State of Georgia, nearly two-thirds of our schools—62 percent—report a need to upgrade or repair their buildings. We need to help local communities from Savannah to San Antonio to Seattle rebuild, modernize and reduce overcrowding in more than 6,000 of America's public schools.

There is consensus in every borough, town and city throughout this country that bloodshed in our schools cannot and will not be tolerated. Yet every day five million children are left to care for themselves in the hours before and after school. We know that these are the very hours that children are most likely to participate in risky behavior. In fact, almost half of all violent juvenile crime takes place between the hours of 3 and 8 p.m. We need to help our communities reduce juvenile crime by investing more dollars in after-school care. We need to expand the popular 21st Century Learning Centers Program to ensure that 1 million children each year—up from the current 190,000—will have access to safe and constructive after-school tutoring, recreation, and academic enrichment.

Mr. President, I maintain that there is no more powerful—and empowering—force in the universe than education. "On education all our lives depend," said Benjamin Franklin. And Christa McAuliffe, selected to be the first schoolteacher to travel in space, described simply but poetically the

awesome potential of her vocation: "I touch the future," she said. "I teach." While we may bring to the debate on education differing views, it is my hope that we ultimately remember this is a profoundly important issue which should be above politics and ideology. It is all about the future of this country—and the future, after all, is in very small hands.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

#### VIOLENCE AGAINST WOMEN ACT

Mr. JOHNSON. Mr. President, I come to the Senate floor to speak about the importance of reauthorizing the Violence Against Women Act before September 30. Since enactment of the Violence Against Women Act in 1994, the number of forcible rapes of women have declined, and the number of sexual assaults nationwide have gone down as well.

Despite the success of the Violence Against Women Act, domestic abuse and violence against women continue to plague our communities. Consider the fact that a woman is raped every five minutes in this country, and that nearly one in every three adult women experiences at least one physical assault by a partner during adulthood. In fact, more women are injured by domestic violence each year than by automobile accidents and cancer deaths combined.

In South Dakota alone, approximately 15,000 victims of domestic violence were provided assistance last year. Shelters, victims' service providers, and counseling centers in my state rely heavily on VAWA funds to provide assistance to these women and children. VAWA reauthorization assures that states and communities will continue to have access to critical funds for domestic violence services. We must not allow this opportunity to pass us by.

As you know, legislation to reauthorize VAWA has received broad, bipartisan support in both the House and Senate. I am pleased to join 68 of my Senate colleagues in cosponsoring VAWA legislation that unanimously passed the Senate Judiciary Committee in June. Similar legislation in the House has 233 bipartisan cosponsors and was also approved in June by the House Judiciary Committee.

Since the Violence Against Women Act became law, South Dakota organizations have received over \$6.7 million in federal funding for domestic abuse programs. In addition, the Violence Against Women Act doubled prison time for repeat sex offenders; established mandatory restitution to victims of violence against women; codified much of our existing laws on rape; and strengthened interstate enforcement of violent crimes against women.

The law also created a national toll-free hotline to provide women with crisis intervention help, information about violence against women, and free

referrals to local services. Last year, the hotline took its 300,000th call. The number for women to call for help is: 1-800-799-SAFE.

In addition to reauthorizing the provisions of the original Violence Against Women Act, the legislation that I am supporting would improve our overall efforts to reduce violence against women by strengthening law enforcement's role in reducing violence against women. The legislation also expands legal services and assistance to victims of violence, while also addressing the effects of domestic violence on children. Finally, programs are funded to strengthen education and training to combat violence against women.

A woman from South Dakota recently wrote me about this issue, and I'd like to share her story with you because I believe it makes the most compelling case for reauthorization of the Violence Against Women Act.

The letter begins:

My story is that I was abused as a child, raped as a teenager, and emotionally abused as a wife. I survived that, but I almost didn't emotionally survive the last two and a half years knowing that my grandchildren were being abused and having my hands tied to be patient while our laws worked. My son has been fighting for custody of his triplets.

The letter continues:

Their story is horrible. While in the custody of their mother and her live-in boyfriend, they were battered, bruised, emotionally and sexually assaulted.

She writes that one of her grandchildren got her ear cut off, another had his head split open, and the third child's throat was slit.

Thankfully, the woman writes that her son finally got custody of her grandchildren and removed them from the abusive environment.

The letter concludes:

This is my story, and at least it has a happy ending, but there are hundreds of women and children out there still living in danger. Please reauthorize the Violence Against Women Act. Don't let another woman go through what I went through, and please don't let another child go through what my grandchildren have gone through. You can make a difference.

Simply stated, reauthorization of the Violence Against Women Act will provide much needed resources to prevent domestic violence in our country. I appreciate that we have many worthwhile legislative priorities remaining to be decided, including a majority of appropriations bills that must be passed this year. However, I can think of no better accomplishment for Congress than to reauthorize VAWA and help keep wives, daughters, sisters, and friends from becoming victims of domestic violence.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Am I recognized in morning business under a previous order?

The PRESIDING OFFICER. That is correct.

#### THE REMAINING BUSINESS OF THE SENATE

Mr. DORGAN. Mr. President, we are nearing the end of the session of the 106th Congress. I believe we have 13 appropriations bills that we are required to enact and required to be signed into law to provide funding for all of the various things that are done in public policy and by our agencies of Government.

Out of the 13 appropriations bills, 2 of them have been signed into law by President Clinton. Now this process is broken. It is quite clear. We have come to the end stage of this session. Most of the appropriations bills are not yet completed. Most of the very difficult and complex issues are as of yet unresolved. I say to my colleagues that all we have to do to resolve all of this is to vote—only vote.

I will give you an example of why this process is broken. I serve on the agriculture appropriations subcommittee. We passed a bill in July that appropriates money for agricultural functions. Now, the Senate passed its bill in mid to late July. The House passed its bill on July 11. I am a conferee in a conference between the House and Senate. There has never been a conference. We have never met. There have been no discussions, and no Senator or Congressman has been involved in any way to try to move this legislation forward. Why? I am not sure exactly the reason why. I suspect the reason why is that this issue—this Agriculture appropriations bill—has some very complicated and controversial matters involved in it and some don't want to vote on them. So if you don't want to vote, don't call them up, don't have a conference. Just dig in your heels and stall. That is what happened.

One of the controversial issues on that bill—and it is appropriate that it should be on that bill—is the question of whether this country should allow the sale of food to certain countries with whom we have economic sanctions. Our country has had a policy, believe it or not, of saying we will use food as a weapon.

We don't like Saddam Hussein, so we impose economic sanctions against him and his country. We impose economic sanctions against the country of Iraq. We impose sanctions against Iran. We impose sanctions against Libya, North Korea, and Cuba. Included in those economic sanctions are provisions that say we will not allow the shipment of food or medicine to your country. That doesn't make any sense to me. We ought never use food as a weapon. We ought never under any condition say that we will prevent the shipment of food to anywhere in the world. This is a policy that takes aim at dictators whom we don't like, and it ends up hitting sick, hungry, and poor people. That makes no sense.

So the Senate passed my amendment that is now in conference. The amendment says let us stop using food as a weapon; no more sanctions on food