

120,000 teachers already in Ohio, this program at best yields only 1.5% increase in the number of teachers in my state.

In fact, even if the President gets all the money he wants, 47% of Ohio's public school districts and community schools will not even receive enough money from the President's program to hire a single teacher. Not a single one.

The Clinton class size reduction proposal undermines local control and the ability of school districts to spend money where it is needed most. But it goes to the point that the Clinton-Gore administration wants to be all things to all people.

I say to my colleagues, if we really want to do something for education, then we should live up to the federal commitment to IDEA.

In 1975, Congress passed the Individuals with Disabilities Education Act (IDEA), a program designed to help mainstream young men and women with disabilities so they could obtain a quality education. Congress thought it was such a national priority, that it promised that the Federal Government would pay up to 40 percent of the cost of this program.

However, through fiscal year 2000, the most that Washington provided to our school districts under IDEA is 12.6 percent of the educational costs for each handicapped child. The remainder of the cost for IDEA falls on State and local governments.

Earlier this year, the Senate passed two amendments that I offered regarding IDEA. The first said that Washington should live up to its commitment to fund IDEA at the 40% level before it allocates new education money.

The second would allow school districts to use federal money for IDEA. Or, if the district wanted to spend the money on new teachers or new facilities, they could do so.

If the Federal Government was fully funding IDEA, most of the education initiatives the President and my colleagues are proposing—school construction, after-school programs, and new teachers—could be and likely would be taken care of at the State and local level.

The Federal Government does have important responsibilities like national defense, infrastructure, Medicare and Social Security and we must also look at real federal priorities such as prescription drugs and responding to the cries of our health care system that has been short changed by the 1997 Balanced Budget Act. However, Washington must figure out how to sustain paying for its responsibilities before making new commitments.

Because of the President's spending programs, the Labor HHS appropriations bill is, at last count, already at \$113 billion. Last year, we spent \$96 billion for the same bill. That's nearly an 18 percent increase.

This appropriations bill contains more than \$43 billion for the Department of Education. In the President's

own budget, he asked for only \$40 billion. Still, that is almost double the \$21.1 billion in discretionary education spending allocated by the Federal Government just 10 years ago in fiscal year 1991, and nearly 5 times the \$8.2 billion spent on discretionary education spending 25 years ago in 1976.

The President and my colleagues across the aisle must stop acting as if they are the Nation's school board, trying to fund every education program possible.

I believe our State and local leaders should be given the flexibility they need to spend their Federal education dollars to live up to our obligations with respect to IDEA, freeing them to address state and local education needs that have not yet been met.

It is my hope that in the waning days of this Congress, we will find the strength to recognize what is a federal responsibility and what is not and act accordingly. We can no longer count on the President to do so: it is up to us.

OBJECTION TO PROCEEDING TO H.R. 4020

Mr. WYDEN. Mr. President, I rise today to state my objection to any unanimous consent request for the Senate to proceed to or adopt H.R. 4020, authorizing the expansion of the boundaries of Sequoia National Park to include Dillonwood Giant Sequoia Grove, unless or until S. 2691, to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, is discharged, unamended, from the House of Representatives Resources Committee and passed, unamended, by the House of Representatives. I do so consistent with the commitment I have made to explain publicly any so-called "holds" that I may place on legislation.

S. 2691 is a bipartisan bill, authored by myself and Senator SMITH of Oregon, and supported by all the members of Oregon's congressional delegation. It passed the Senate Energy and Natural Resources Committee, as well as the entire Senate, unanimously. This legislation protects the current and future drinking water source for the city of Portland, home to one in four Oregonians.

Despite its broad support, and my personal appeal to the Resources Committee, that committee has failed to act on it. Oregonians expect their elected representatives will act responsibly to protect Portland's drinking water source. As a result, I cannot agree to H.R. 4020 until S. 2691 clears the House of Representatives unamended.

THE BANKRUPTCY REFORM BILL

Mr. KERRY. Mr. President, I strongly believe that reform of our bankruptcy laws is necessary. During the 105th and 106th Congress, I have supported legislation to reform bank-

ruptcy laws and end the abuse of the system. However, I am very disappointed that I am unable to support the conference report of the Bankruptcy Reform Bill because I believe it is unfair and unbalanced, was completed without appropriate consideration by the Minority party, includes an inequitable homestead provision and is unfair to many working families.

I am very concerned that the decision to file for bankruptcy is too often used as an economic tool to avoid responsibility for unsound business decisions and reckless acts by both individuals and businesses. There has been a decline in the stigma of filing for bankruptcy and appropriate changes are necessary to ensure that bankruptcy is no longer considered a lifestyle choice.

This legislation includes a number of important reforms which I support. I am pleased that the small business provisions originally included in the Senate bill have been changed to give small businesses adequate time to develop a reorganization plan during bankruptcy proceedings. I had previously included an amendment to the Senate bill that increased this time for small businesses. I am also pleased that the conference report includes my amendment to expand the credit committee membership under Chapter 11 bankruptcies to include small businesses. I believe this will ensure better access and information for small businesses creditors. Unfortunately, reasonable and necessary reforms were included in a bill that on the whole fails to take a balanced approach to bankruptcy reform. I had hoped that through a legitimate legislative process we would arrive at a compromise that would have ended the abuses but still provided our most vulnerable citizens with adequate protections. Instead, I believe that the conference report protects wealthy debtors by allowing them to use overly broad homestead exemptions to shield assets from their creditors. The Senate passed, by a bipartisan vote of 76-22, an amendment to create a \$100,000 nationwide cap on any homestead exemption. However, this provision was not included in the Conference Report. Instead, the conferees included a meaningless cap with a two-year residency requirement that wealthy debtors could easily avoid. Moreover, the bill's safe harbor is illusory and will not benefit individuals in most need of help. Because the safe harbor is based on the combined income of the debtor and the debtor's spouse, many single mothers who are separated from their husbands and who are not receiving child support will not be able to take advantage of the safe harbor provision.

I am also very disappointed that the conference report does not include an amendment offered by Senator COLLINS and myself, which was included in the Senate bill, that would make Chapter 12 of the Bankruptcy Code, which now applies to family farmers, applicable