

Does the Senator from Pennsylvania yield back the remainder of his time?
Mr. SANTORUM. I do.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 799. The yeas and nays have been ordered. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.
Mr. REID. I announce that the Senator from Connecticut (Mr. DODD) is necessarily absent.

The PRESIDING OFFICER (Ms. CANTWELL). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 8, as follows:

[Rollcall Vote No. 182 Leg.]
YEAS—91

Akaka	Ensign	McConnell
Allard	Feingold	Mikulski
Allen	Feinstein	Miller
Baucus	Fitzgerald	Murkowski
Bayh	Frist	Murray
Bennett	Graham	Nelson (FL)
Biden	Gramm	Nelson (NE)
Bingaman	Grassley	Nickles
Bond	Gregg	Reed
Boxer	Harkin	Reid
Breaux	Hatch	Roberts
Brownback	Helms	Rockefeller
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Byrd	Hutchison	Schumer
Campbell	Inhofe	Sessions
Cantwell	Inouye	Shelby
Carnahan	Jeffords	Smith (NH)
Carper	Johnson	Smith (OR)
Cleland	Kennedy	Snowe
Clinton	Kerry	Specter
Conrad	Kohl	Stabenow
Corzine	Kyl	Thomas
Craig	Landrieu	Thurmond
Crapo	Leahy	Torricelli
Daschle	Levin	Voivovich
Dayton	Lieberman	Warner
Domenici	Lincoln	Wellstone
Dorgan	Lott	Wyden
Durbin	Lugar	
Edwards	McCain	

NAYS—8

Chafee	DeWine	Stevens
Cochran	Enzi	Thompson
Collins	Hagel	

NOT VOTING—1

Dodd

The amendment (No. 799) was agreed to.

Mr. KENNEDY. I move to reconsider the vote by which the amendment was agreed to.

Mr. SANTORUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 798

Mr. KENNEDY. As I understand, we have 2 minutes on each side. There will be 2 minutes for the Senator from South Carolina and 2 minutes for the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Madam President, dear colleagues, the fundamental flaw is the approach that we do not, at the local level, have accountability, that we do not have testing. The truth is, and I have previously printed it in the RECORD, we have testing coming out of our ears: \$422 million this year. We know what works.

I say, rather than go through a 7-year exercise at \$7 billion, along with the

bureaucracy from Washington, to develop what Washington thinks is the standard, what Washington thinks is quality, use that money to address local concerns, whether they be further testing or additional needs. We know what the needs are. Senators have stated them over 7 weeks: Curriculum, better teachers, more teachers, smaller class size, and on down the line.

This is, in a sense, revenue sharing with the same amount of money.

If Members believe in one size fits all, that Washington—and not the local folks—has the answers, if Members believe in unfunded mandates, if Members believe students should be tested on courses that they have yet to receive—Title I, Head Start, and the others—if Members believe we ought to institute this 7-year bureaucracy at a cost of \$7 billion, vote against the amendment.

If Members believe in local control, and if Members believe they know what is best, and what schools in their states need is help for curriculum, for class size, and everything else, then vote with us. I don't see my distinguished colleague, Senator WELLSTONE, but I have his support, and I think I might be able to get the support of Senator KENNEDY.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, with all respect to my friend and colleague from South Carolina, I rise to oppose the amendment. This amendment, if passed, will cut out the heart of the bipartisan agreement on educational reform in this underlying bill. The heart of it is that we are going to demand results; we are going to ask for evidence that we can present to educators, to parents, indeed to students and public officials, that the vast amounts of money that we at the Federal level and those at the State and local level are investing in the education of our children is actually working. The important thing to say is that in the requirement that the underlying bipartisan agreement makes for testing of schoolchildren from grades 3-8, we set the rules, but we leave it to the States to determine the standards. It is the States that will decide each year what is adequate yearly progress. It is the States that will determine how well their students are doing. So this is a national set of rules, but it is the States that will decide how each of them goes forward in implementing the rules.

Second, we require an arcane term, but it means a lot, disaggregation of data, so that people in the State, in the local area, parents, can see how each group of children is doing so we will be sure in that evidence that we will not overlook the educational needs of the neediest of our children.

I ask my colleagues to oppose this amendment and thereby stand by the bipartisan agreement for educational reform.

The PRESIDING OFFICER. The question is on agreeing to amendment no. 798. The yeas and nays have been ordered. The clerk will call the roll.

The assistant bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 22, nays 78, as follows:

[Rollcall Vote No. 183 Leg.]

YEAS—22

Akaka	Durbin	Nelson (NE)
Boxer	Feingold	Reed
Cantwell	Harkin	Reid
Conrad	Hollings	Sarbanes
Corzine	Inouye	Stevens
Daschle	Leahy	Wellstone
Dayton	Levin	
Dodd	Murray	

NAYS—78

Allard	Edwards	Lugar
Allen	Ensign	McCain
Baucus	Enzi	McConnell
Bayh	Feinstein	Mikulski
Bennett	Fitzgerald	Miller
Biden	Frist	Murkowski
Bingaman	Graham	Nelson (FL)
Bond	Gramm	Nickles
Breaux	Grassley	Roberts
Brownback	Gregg	Rockefeller
Bunning	Hagel	Santorum
Burns	Hatch	Schumer
Byrd	Helms	Sessions
Campbell	Hutchinson	Shelby
Carnahan	Hutchison	Smith (NH)
Carper	Inhofe	Smith (OR)
Chafee	Jeffords	Snowe
Cleland	Johnson	Specter
Clinton	Kennedy	Stabenow
Cochran	Kerry	Thomas
Collins	Kohl	Thompson
Craig	Kyl	Thurmond
Crapo	Landrieu	Torricelli
DeWine	Lieberman	Voivovich
Domenici	Lincoln	Warner
Dorgan	Lott	Wyden

The amendment (No. 798) was rejected.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 420 TO AMENDMENT NO. 358

Mr. SPECTER. Madam President, I call up amendment No. 420.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 420.

The amendment is as follows:

(Purpose: To amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products)

On page 893, after line 14, add the following:

SEC. __. EXEMPTION.

Section 13(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(c)) is amended by adding at the end the following:

“(6)(A) Subject to subparagraph (B), in the administration and enforcement of the child labor provisions of this Act, it shall not be considered oppressive child labor for an individual who—

“(i) is under the age of 18 and over the age of 14, and

“(ii) by statute or judicial order is exempt from compulsory school attendance beyond the eighth grade,

to be employed inside or outside places of business where machinery is used to process wood products.

“(B) The employment of an individual under subparagraph (A) shall be permitted—