

“(C) initiate investigations of alleged abuses of civil rights or civil liberties by employees or officials of the Department and employees or officials of independent contractors or grantees of the Department;

“(D) ensure that personnel within the Office of Inspector General receive sufficient training to conduct effective civil rights and civil liberties investigations;

“(E) consult with the Officer for Civil Rights and Civil Liberties regarding—

“(i) alleged abuses of civil rights or civil liberties; and

“(ii) any policy recommendations regarding civil rights and civil liberties that may be founded upon an investigation by the Office of Inspector General;

“(F) provide the Officer for Civil Rights and Civil Liberties with information regarding the outcome of investigations of alleged abuses of civil rights and civil liberties;

“(G) refer civil rights and civil liberties matters that the Inspector General decides not to investigate to the Officer for Civil Rights and Civil Liberties;

“(H) ensure that the Office of the Inspector General publicizes and provides convenient public access to information regarding—

“(i) the procedure to file complaints or comments concerning civil rights and civil liberties matters; and

“(ii) the status of investigations initiated in response to public complaints; and

“(I) inform the Officer for Civil Rights and Civil Liberties of any weaknesses, problems, and deficiencies within the Department relating to civil rights or civil liberties.”.

SEC. 5. PRIVACY OFFICER.

Section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142) is amended—

(1) in the matter preceding paragraph (1), by inserting “, who shall report directly to the Secretary,” after “in the Department”;

(2) in paragraph (4), by striking “and” at the end;

(3) by redesignating paragraph (5) as paragraph (6); and

(4) by inserting after paragraph (4) the following:

“(5) coordinating with the Officer for Civil Rights and Civil Liberties to ensure that—

“(A) programs, policies, and procedures involving civil rights, civil liberties, and privacy considerations are addressed in an integrated and comprehensive manner; and

“(B) Congress receives appropriate reports on such programs, policies, and procedures; and”.

Mr. WYDEN. Mr. President, the threat of terrorism is an unfortunate fact of life today, and it is not going to go away any time soon. Protecting American citizens against this threat will continue to be an essential and urgent task for the foreseeable future.

However, I do not believe that fighting terrorism aggressively requires tossing civil liberties protections into the scrap heap. This is not an “either or” choice. This country’s tradition of high standards of civil rights and civil liberties should not and need not become the first casualty of the war on terrorism.

I have made this point repeatedly in the time since the terrorist attacks of 9/11. Still, all too often, we have seen well-meaning government agencies take the approach of designing a security system or program first, and worrying about the civil liberties and privacy implications later.

I am convinced that the approach of making civil liberties an afterthought

doesn’t work and isn’t acceptable. Civil liberties and privacy considerations need to be built into the DNA of the Homeland Security Department and its various programs.

The legislation that created the Homeland Security Department included some very positive steps in that regard, by creating an Officer for Civil Rights and Civil Liberties and a Privacy Officer.

Today, I am joining Senator COLLINS in introducing new legislation to flesh out the role and stature of these key offices within the Department.

Specifically, the legislation would add a reference to civil liberties to the statutory mission statement of the Department of Homeland Security. It would provide further detail as to the duties of the Officer for Civil Rights and Civil Liberties. It would specify that both the Officer for Civil Rights and Civil Liberties and the Privacy Officer shall report directly to the Secretary. And it would direct the DHS Inspector General to designate a point person within the I.G. office to focus expressly on civil liberties matters.

None of these items represents a radical departure from the original Homeland Security legislation or the current practice of the department. Rather, this new bill codifies much of what is already going on, giving it a firm statutory basis.

I hope my colleagues will join Senator COLLINS and me in supporting this legislation, and in delivering a strong message that civil liberties matters remain a core factor in this country’s homeland security efforts. I ask unanimous consent that the text of the bill be printed in the RECORD.

By Mr. LIEBERMAN (for himself and Mr. DODD):

S. 2538. A bill to provide a grant program to support the establishment and operation of Teachers Institutes; to the Committee on Health, Education, Labor, and Pensions.

Mr. LIEBERMAN. Mr. President, today I am introducing legislation, along with my colleague from Connecticut, Mr. DODD, that will strengthen the content and pedagogy knowledge of our present K–12 teacher workforce and thus ultimately raise student achievement.

My proposal would establish eight new Teacher Professional Development Institutes throughout the Nation each year over the next five years based on the model which has been operating at Yale University for over 25 years. Every Teacher Institute would consist of a partnership between an institution of higher education and the local public school system in which a significant proportion of the students come from low-income households. These Institutes will strengthen the present teacher workforce by giving each participant an opportunity to gain more sophisticated content knowledge and a chance to develop curriculum units with other colleagues that can be di-

rectly applied in their classrooms. We know that teachers gain confidence and enthusiasm when they have a deeper understanding of the subject matter that they teach and this translates into higher expectations for their students and thus, an increase in student achievement.

The Teacher Professional Development Institutes are based on the Yale-New Haven Teachers Institute model that has been in existence since 1978. For over 25 years, the Institute has offered six or seven thirteen-session seminars each year, led by Yale faculty, on topics that teachers have selected to enhance their mastery of the specific subject area that they teach. The subject selection process begins with representatives from the Institutes soliciting ideas from teachers throughout the school district for topics on which teachers feel they need to have additional preparation, topics that will assist them in preparing materials they need for their students, or topics that will assist them in addressing the standards that the school district requires. As a consensus emerges about desired seminar subjects, the Institute director identifies university faculty members with the appropriate expertise, interest and desire to lead the seminar. University faculty members, especially those who have led Institute seminars before, may sometimes suggest seminars they would like to lead, and these ideas are circulated by the representatives as well. The final decisions on which seminar topics are offered are ultimately made by the teachers who participate. In this way, the offerings are designed to respond to what teachers believe is needed and useful for both themselves and their students.

The cooperative nature of the Institute seminar planning process ensures its success: Institutes offer seminars and relevant materials on topics teachers have identified and feel are needed for their own preparation as well as what they know will motivate and engage their students. Teachers enthusiastically take part in rigorous seminars they have requested, and as part of the program, practice using the materials they have obtained and developed. This helps ensure that the experience not only increases their preparation in the subjects they are assigned to teach, but also their participation in an Institute seminar gives them immediate hands-on active learning materials that can be used in the classroom. In short, by allowing teachers to determine the seminar subjects and providing them the resources to develop relevant curricula for their classroom and their students, the Institutes empower teachers. Teachers know their students best and they know what should be done to improve schools and increase student learning. The Teacher Professional Development Institutes promote this philosophy.

From 1999–2002, the Yale-New Haven Teachers Institute launched a National

Demonstration Project to create comparable Institutes at four diverse sites with large concentrations of disadvantaged students. These demonstration projects are located in Pittsburgh, PA, Houston, TX, Albuquerque, NM, and Santa Ana, CA.

Follow-up evaluations have earned very positive results from the teacher participants in the Yale-New Haven Institute, as well as the four demonstration sites. The data strongly support the conclusion that virtually all teachers felt substantially strengthened in their mastery of content knowledge and they also developed increased expectations for what their students could achieve. In addition, because of their involvement in the course selection and curriculum development process, teacher participants have found these seminars to be especially relevant and useful in their classroom practices. Ninety-five percent of all participating teachers reported that the seminars were useful. These Institutes have also served to foster teacher leadership, to develop supportive teacher networks, to heighten university faculty commitments to improving K-12 public education, and to foster more positive partnerships between school districts and institutions of higher education.

By some studies, teacher quality is the single most important school-related factor in determining student achievement. In support of this, the No Child Left Behind Act requires a "highly qualified" teacher to be in every classroom by the end of 2005-2006. Effective teacher professional development programs that focus on subject and pedagogy knowledge are a proven method for enhancing the success of a teacher in the classroom and in helping them meet the highly qualified criteria.

Though a K-12 teacher shortage is forecast in the near-term and many new teachers will be entering our schools, those teachers who are presently on the job will do the majority of teaching in the classrooms in the very near future. For this reason, it is imperative to invest in methods to strengthen our present teaching workforce. Like many professions, the quality of our teachers could diminish if their professional development is neglected. Research has shown that positive educational achievements occur when coursework in a teachers' specific content area is combined with pedagogy techniques. This is what the Teacher Professional Development Institutes Act strives to accomplish.

The Yale-New Haven Institutes have already proven to be a successful model for teacher professional development as demonstrated by the high caliber curriculum unit plans that teacher participants have developed and placed on the web and by the evaluations that support the conclusion that virtually all the teacher participants felt substantially strengthened in their mastery of content knowledge and their

teaching skills. My proposal would open this opportunity to many more urban teachers throughout the nation.

I urge my colleagues to act favorably on this measure. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2538

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TEACHER PROFESSIONAL DEVELOPMENT INSTITUTES.

Title II of the Higher Education Act of 1965 (20 U.S.C. 1021 et seq.) is amended by adding at the end the following:

"PART C—TEACHER PROFESSIONAL DEVELOPMENT INSTITUTES

"SEC. 241. SHORT TITLE.

"This part may be cited as the 'Teacher Professional Development Institutes Act'.

"SEC. 242. FINDINGS AND PURPOSE.

"(a) FINDINGS.—Congress makes the following findings:

"(1) The ongoing professional development of teachers in the subjects the teachers teach is essential for improved student learning.

"(2) Attaining the goal of the No Child Left Behind Act of 2001, of having a teacher who is highly qualified in every core subject classroom, will require innovative and effective approaches to improving the quality of teaching.

"(3) The Teachers Institute Model is an innovative approach that encourages a collaboration between urban school teachers and university faculty. The Teachers Institute Model focuses on the continuing academic preparation of school teachers and the application of what the teachers study to their classrooms and potentially to the classrooms of other teachers.

"(4) The Teachers Institute Model has also been successfully demonstrated over a 3-year period in a National Demonstration Project (hereafter in this part referred to as the 'National Demonstration Project') in several cities.

"(b) PURPOSE.—The purpose of this part is to provide Federal assistance to support the establishment and operation of Teachers Institutes for local educational agencies that serve significant low-income populations in States throughout the Nation—

"(1) to improve student learning; and

"(2) to enhance the quality of teaching by strengthening the subject matter mastery of current teachers through continuing teacher preparation.

"SEC. 243. DEFINITIONS.

"In this part:

"(1) **POVERTY LINE.**—The term 'poverty line' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act) applicable to a family of the size involved.

"(2) **SIGNIFICANT LOW-INCOME POPULATION.**—The term 'significant low-income population' means a student population of which not less than 25 percent are from families with incomes below the poverty line.

"(3) **STATE.**—The term 'State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(4) **TEACHERS INSTITUTE.**—The term 'Teachers Institute' means a partnership or joint venture between or among 1 or more institutions of higher education, and 1 or more local educational agencies serving a signifi-

cant low-income population, which partnership or joint venture—

"(A) is entered into for the purpose of improving the quality of teaching and learning through collaborative seminars designed to enhance both the subject matter and the pedagogical resources of the seminar participants; and

"(B) works in collaboration to determine the direction and content of the collaborative seminars.

"SEC. 244. GRANT AUTHORITY.

"(a) **IN GENERAL.**—The Secretary is authorized—

"(1) to award grants to Teachers Institutes to encourage the establishment and operation of Teachers Institutes; and

"(2) to provide technical assistance, either directly or through existing Teachers Institutes, to assist local educational agencies and institutions of higher education in preparing to establish and in operating Teachers Institutes.

"(b) **SELECTION CRITERIA.**—In selecting a Teachers Institute for a grant under this part, the Secretary shall consider—

"(1) the extent to which the proposed Teachers Institute will serve a community with a significant low-income population;

"(2) the extent to which the proposed Teachers Institute will follow the Understandings and Necessary Procedures that have been developed following the National Demonstration Project;

"(3) the extent to which the local educational agency participating in the proposed Teachers Institute has a high percentage of teachers who are unprepared or under prepared to teach the core academic subjects the teachers are assigned to teach; and

"(4) the extent to which the proposed Teachers Institute will receive a level of support from the community and other sources that will ensure the requisite long-term commitment for the success of a Teachers Institute.

"(c) **CONSULTATION.**—

"(1) **IN GENERAL.**—In evaluating applications under subsection (b), the Secretary may request the advice and assistance of existing Teachers Institutes.

"(2) **STATE AGENCIES.**—If the Secretary receives 2 or more applications for new Teachers Institutes that propose serving the same State, the Secretary shall consult with the State educational agency regarding the applications.

"(d) **FISCAL AGENT.**—For the purpose of this part, an institution of higher education participating in a Teachers Institute shall serve as the fiscal agent for the receipt of grant funds under this part.

"(e) **LIMITATIONS.**—A grant under this part—

"(1) shall be awarded for a period not to exceed 5 years; and

"(2) shall not exceed 50 percent of the total costs of the eligible activities, as determined by the Secretary.

"SEC. 245. ELIGIBLE ACTIVITIES.

"(a) **IN GENERAL.**—Grant funds awarded under this part may be used—

"(1) for the planning and development of applications for the establishment of Teachers Institutes;

"(2) to provide assistance to the Teachers Institutes established during the National Demonstration Project to enable the Teachers Institutes—

"(A) to develop further the Teachers Institutes; or

"(B) to support the planning and development of applications for new Teachers Institutes;

"(3) for the salary and necessary expenses of a full-time director to plan and manage the Teachers Institute and to act as liaison

between the local educational agency and the institution of higher education participating in the Teachers Institute;

“(4) to provide suitable office space, staff, equipment, and supplies, and to pay other operating expenses, for the Teachers Institute;

“(5) to provide a stipend for teachers participating in collaborative seminars in the sciences and humanities, and to provide remuneration for those members of the faculty of the institution of higher education participating in the Teachers Institute who lead the seminars; and

“(6) to provide for the dissemination through print and electronic means of curriculum units prepared in the seminars conducted by the Teachers Institute.

“(b) TECHNICAL ASSISTANCE.—The Secretary may use not more than 50 percent of the funds appropriated to carry out this part to provide technical assistance to facilitate the establishment and operation of Teachers Institutes. For the purpose of this subsection, the Secretary may contract with existing Teachers Institutes to provide all or a part of the technical assistance under this subsection.

“SEC. 246. APPLICATION, APPROVAL, AND AGREEMENT.

“(a) IN GENERAL.—To receive a grant under this part, a Teachers Institute shall submit an application to the Secretary that—

“(1) meets the requirement of this part and any regulations under this part;

“(2) includes a description of how the Teachers Institute intends to use funds provided under the grant;

“(3) includes such information as the Secretary may require to apply the criteria described in section 244(b);

“(4) includes measurable objectives for the use of the funds provided under the grant; and

“(5) contains such other information and assurances as the Secretary may require.

“(b) APPROVAL.—The Secretary shall—

“(1) promptly evaluate an application received for a grant under this part; and

“(2) notify the applicant within 90 days of the receipt of a completed application of the Secretary's approval or disapproval of the application.

“(c) AGREEMENT.—Upon approval of an application, the Secretary and the Teachers Institute shall enter into a comprehensive agreement covering the entire period of the grant.

“SEC. 247. REPORTS AND EVALUATIONS.

“(a) REPORT.—Each Teachers Institute receiving a grant under this part shall report annually on the progress of the Teachers Institute in achieving the purpose of this part and the purposes of the grant.

“(b) EVALUATION AND DISSEMINATION.—

“(1) EVALUATION.—The Secretary shall evaluate the activities funded under this part and submit an annual report regarding the activities to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

“(2) DISSEMINATION.—The Secretary shall broadly disseminate successful practices developed by Teachers Institutes.

“(c) REVOCATION.—If the Secretary determines that a Teachers Institute is not making substantial progress in achieving the purpose of this part and the purposes of the grant by the end of the second year of the grant under this part, the Secretary may take appropriate action, including revocation of further payments under the grant, to ensure that the funds available under this part are used in the most effective manner.

“SEC. 248. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part—

“(1) \$4,000,000 for fiscal year 2005;

“(2) \$5,000,000 for fiscal year 2006;

“(3) \$6,000,000 for fiscal year 2007;

“(4) \$7,000,000 for fiscal year 2008; and

“(5) \$8,000,000 for fiscal year 2009.”.

By Mr. CAMPBELL (for himself, Mr. INOUE, Mr. DOMENICI, and Mr. SMITH):

S. 2539. A bill to amend the Tribally Controlled Colleges or University Assistance Act and the Higher Education Act to improve Tribal Colleges and Universities, and for other purposes; to the Committee on Indian Affairs.

Mr. CAMPBELL. Mr. President, today I am pleased to introduce legislation to update and improve the Tribally Controlled Colleges or University Assistance Act and amend the Indian sections of the Higher Education Act.

Indian tribal colleges were first created about 30 years ago in response to the higher education needs of Native populations living in remote and isolated areas of the country where access to higher education is extremely difficult.

There are 33 tribally- or Federally-chartered Indian colleges in the Nation and they do a superb job despite the many obstacles they face.

In recent years the cost of higher education has far exceeded the rate of inflation. Tribal colleges face other problems as well: a growing population and growing demand for services; increased demand for additional facilities; geographical isolation; and difficulty attracting quality professors to teach.

Tribal colleges not only provide a quality higher education but also enhance the cultural knowledge, knowledge depositories, college preparatory work, and other important educational needs of Indian communities.

Tribal colleges also enhance the economies of tribes. The national unemployment rate in the U.S. today is about 5.6 percent, while the rate for Native Americans is many times that and in some parts of Indian country hovers above 50 percent.

Tribal colleges serve as centers for business incubation and small business development in order to encourage private business development and job creation.

Tribal colleges are also being called on to help Indian communities in the often-difficult transition from welfare to work. These institutions also provide education and training to people ready to join the workforce.

To continue the vital work of these colleges, the bill I am introducing will provide additional resources and means to develop facilities, increase quality faculty and improve the overall education of Indian people within their reservations.

I urge my colleagues to join me in supporting this important bill.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2539

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—TRIBAL COLLEGES AND UNIVERSITIES

SEC. 101. TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY ACT OF 1978.

(a) FORMULA.—Section 108(a)(2) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1808) is amended by striking “\$6,000” and inserting “\$8,000”.

(b) TITLE I REAUTHORIZATION.—Section 110(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1810(a)) is amended—

(1) in paragraphs (1), (2), (3), and (4), by striking “1999” and inserting “2004”;

(2) in paragraphs (1), (2), and (3), by striking “4 succeeding” and inserting “5 succeeding”;

(3) in paragraph (2), by striking “\$40,000,000” and inserting “\$55,000,000”;

(4) in paragraph (3), by striking “\$10,000,000” and inserting “\$20,000,000”; and

(5) in paragraph (4), by striking “succeeding 4” and inserting “5 succeeding”.

(c) TITLE III REAUTHORIZATION.—Section 306(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1836(a)) is amended—

(1) by striking “1999” and inserting “2004”; and

(2) by striking “4 succeeding” and inserting “5 succeeding”.

(d) TITLE IV REAUTHORIZATION.—Section 403 of the Tribal Economic Development and Technology Related Education Assistance Act of 1990 (25 U.S.C. 1852) is amended—

(1) by striking “\$2,000,000 for fiscal year 1999” and inserting “\$5,000,000 for fiscal year 2004”; and

(2) by striking “4 succeeding” and inserting “5 succeeding”.

(e) CLARIFICATION OF THE DEFINITION OF NATIONAL INDIAN ORGANIZATION.—Section 2(a)(6) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)(6)) is amended by striking “in the field of Indian education” and inserting “in the field of Tribal Colleges and Universities and Indian higher education”.

(f) INDIAN STUDENT COUNT.—Section 2(a) of the Tribally Controlled College or University Assistance Act (25 U.S.C. 1801(a)) is amended—

(1) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(2) by inserting after paragraph (6) the following:

“(7) ‘Indian student’ means a person who is—

“(A) a member of an Indian tribe; or

“(B) a biological child of a member of an Indian tribe, living or deceased;”.

(g) CONTINUING EDUCATION.—Section 2(b) of the Tribally Controlled College or University Assistance Act (25 U.S.C. 1801(b)) is amended by striking paragraph (5) and inserting the following:

“(5) DETERMINATION OF CREDITS.—Eligible credits earned in a continuing education program—

“(A) shall be determined as 1 credit for every 10 contact hours in the case of an institution on a quarter system, or 15 contact hours in the case of an institution on a semester system, of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction, as described in the criteria established by the International Association for Continuing Education and Training; and

“(B) shall be limited to 10 percent of the Indian student count of a tribally controlled college or university.”.