testament to what this country is, what it can be, and what will be. As heroes, they will be honored. As individuals, they will be missed, mourned, and remembered as the true embodiment of our great American spirit.

In addition to the immediate victims of the bombing, we have also recognized the law enforcement officials, the emergency rescue personnel, and the countless volunteers who rushed to our aid in our moment of crisis. The proposed memorial's acknowledgment of not only the victims, but the others involved in the rescue process, was artfully done to remind all of us that we are part of a nation that cares and responds to those in need.

The establishment of the memorial is not only appropriate but an important tool for teaching future generations of Americans what we are all about—coming together. It is also a reminder to us that the price of our freedom is eternal vigilance against those who would rob us of our sense of security through acts of terrorism.

Throughout the entire legislative process, I was pleased to note the extent of involvement by the survivors and the families of those who tragically lost their lives, as well as the larger community. This type of cooperation is not only indicative of how Oklahomans get things done, but will result in a Memorial that is aesthetically designed and truly meaningful to all those who will visit the site for generations to come.

In closing, I would like to thank my colleagues for recognizing the importance of this legislation and giving it their immediate attention. We can all be proud we will now have a suitable memorial to honor the lives of the men, women, and children killed in the bombing.

Mr. FAIRCLOTH addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

Mr. NICKLES. Will the Senator withhold for a moment?

Mr. FAIRCLOTH. Excuse me.

The PRESIDING OFFICER. If the Senator will withhold. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I would like to make sure we have taken final action on S. 871.

The PRESIDING OFFICER. We have taken final action.

Mr. NICKLES. I thank my colleague from North Carolina for his patience, as well as my colleague from Indiana for setting aside some time to pass this legislation. This is very important legislation to the people of Oklahoma and I think to our country as well.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. FAIRCLOTH. I thank the Senator from Oklahoma, and I thank the Chair.

(The remarks of Mr. FAIRCLOTH pertaining to the introduction of S. 1219 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SMITH of Oregon. Mr. President, with the permission of the Senator from Indiana, I ask unanimous consent to speak as in morning business. I will take a couple minutes.

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

Mr. SMITH of Oregon. I thank the Chair and the Senator from Indiana, Senator COATS.

FREEDOM OF RELIGION IN RUSSIA

Mr. SMITH of Oregon. Mr. President, I wanted to come to the Senate floor this morning and talk about a development in Russia that is of concern to this body because of the action we took earlier this summer.

Earlier in the year the Russian Duma passed a law which would reintegrate a Stalinist system when it comes to freedom of conscience, freedom of religion. Four religions: Judaism, Buddhism, the Russian Orthodox Church, and Islam were identified as sanctioned by the Russian Federation, but left out all Protestant religions, the Catholic religion, and any other minority faith that is currently operating there according to international treaty and according to Russian law, previous Russian law and the Russian Constitution.

These new groups would be treated in minority fashion, in that they could not own property, they could not operate schools, have missionaries there, publish Bibles or distribute them or employ people. They would be required to get rid of bank accounts and to register with the state. What I am describing is a huge setback for Russia, back into Stalinist times. And so, this body took very courageous action. It voted 95 to 4 to withhold foreign aid to Russia, should this be enacted. I was delighted after we did that, that President Boris Yeltsin was good to his word and vetoed that legislation. After that, however, he participated in a compromise bill, which an honest reading would tell a person is of no difference.

The upper house of the Duma, yesterday, passed compromise legislation. The President is expected to sign it, and unfortunately, the worst things that could happen to religion in Russia could still happen. There is reason to believe that the Russian Government will implement this law differently than it is actually written. It is for this reason that I have worked with Senator MITCH MCCONNELL, and other members of the Foreign Operations Subcommittee, to modify our bill in a small, but significant way. The word ''enact'' will be changed in conference to ''implement'' in order to give the Russian leaders some latitude in interpreting this legislation. The foreign operations bill language will now allow the Russian Government 6 months to enact the new legislation in a manner that will not discriminate against minority religions before a decision is made to withhold foreign aid.

I come to the floor today to plead with my colleagues to support this language. I would tell you that the people we represent would not be amused by our inaction or our unwillingness to do something. This isn't about trade, this isn't about freedom of contract, this is about taking tax dollars from the American people and giving them to a government that is reimposing Stalinist restrictions. Imagine going to a townhall in your State, or mine in Oregon, and talking to Catholics who are watching the spectacle of their church being removed from Russia—and then trying to explain why Russia should get American tax dollars as foreign aid.

I thank the Chair for this time. I thank my colleague again from Indiana. I yield back the balance of my time.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1156, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1156) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Coats amendment No. 1249, to provide scholarship assistance for District of Columbia elementary and secondary school students.

Wyden amendment No. 1250, to establish that it is the standing order of the Senate that a Senator who objects to a motion or matter shall disclose the objection in the CONGRESSIONAL RECORD.

AMENDMENT NO. 1249

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of amendment No. 1249 with the time until 5 p.m. equally divided and controlled in the usual form.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, we will now for about the next 5 hours be discussing an issue that I believe is important to every Member of the U.S. Senate and important to this country and important to the future of education.

The amendment is titled the ''District of Columbia Student Opportunity Scholarship'' amendment. It is being offered by myself and Senator LIEBERMAN from Connecticut. We will be presenting the case for this amendment to our colleagues who we trust they will be listening carefully to what is said, and I think the important debate that will ensue as a result of our offering this amendment.

The amendment is fairly basic. It provides opportunity scholarships for children in grades K through 12 for District of Columbia residents whose family incomes are below 185 percent of the

poverty level. Scholarships may be used to pay tuition costs at a public or private school in the District of Columbia and in adjacent counties in Maryland and Virginia.

Scholarships are also available under this amendment for tutoring assistance for students who attend public schools within the District.

We establish a District of Columbia scholarship corporation that will determine how the money is distributed.

Student eligibility goes to those, as I said, whose family incomes are 185 percent or below of the poverty line. For those at or below the poverty line, these scholarships can total $3,200. For those who are between the poverty line and 185 percent of that, they can receive the lesser of 75 percent of the cost of tuition and monetary funds and transportation to attend an eligible institution of up to $2,400. The tuition scholarship is also available for tutoring in amounts up to $500 for students who stay in D.C. public schools.

The election process is designed to not discriminate in any way. All eligible applicants will be considered. If there are more applicants than scholarships available selection will be on a random basis.

The funding in no way takes one penny out of funds available for D.C. public schools. In fact, the $7 million in spending for fiscal year 1998 comes out of the Federal contribution to the District of Columbia that is earmarked for deficit reduction. That total contribution—$30 million more than the President requested—we will deduct $7 million out of that. So no, the District is not denied any funds, schools are not denied any funds. This is taken out of a fund that was added by Congress in addition to the President's budget.

Mr. President, there is one unavoidable fact at the center of the school choice debate. When education collapses, it is generally not the middle-class children who suffer the most. Their parents, in response to that collapse, have already chosen other private schools, other public schools or moved to the suburbs or away from that particular school, leaving only the low-income, often minority children, in these dysfunctional, often drug- and crime-infested institutions, with little pretense of learning or educational opportunity.

We have seen this happen in large cities across our country—in Philadelphia, New York, Detroit, and others. We have seen it happen around us. Every day as we meet here in the Capitol, every day surrounding us in the District of Columbia, our Capital City, we see this happening with tragic results.

The D.C. public school system spends more money per pupil than any other district in America. I am going to be repeating that phrase. The District of Columbia public school system spends more money per pupil than any other school district in America.

In 1996, 12 percent of the classrooms in the District of Columbia did not have textbooks at the beginning of the year and 20 percent lacked adequate supplies. The D.C. public school system spends more money per pupil than any other district in America, and yet 65 percent of all D.C. public schoolchildren test below their grade level. And 56 percent who take the Armed Forces qualification test—one of the few ways out of poverty in America for low-income students—56 percent who take the Armed Forces qualification test fail.

The D.C. public school system spends more money per pupil than any other district in America, yet only about 50 percent of education spending—that money that is available in the District of Columbia—goes toward instruction.

The system has 1 administrator for every 16 teachers while the national average is 1 administrator for every 42 teachers. That fact alone gives us an explanation as to one of the primary reasons for the failure of D.C. students, mostly minority students, to learn in the D.C. school system—a bureaucracy which consumes an extraordinary amount of money, over 50 percent of education funding in the District.

The D.C. public school system spends more money per pupil than any other district in America, and two-thirds of the teachers report that violent student behavior is a serious obstacle to teaching. And 16 percent of students report carrying a weapon to school. Over 1 in 10 avoid school because they fear for their safety.

It is safe to say, Mr. President, that if these results were found in suburban schools, the education reform movement would more closely resemble the French Revolution. But because these children are powerless and distant from our experience, because of the color of their skin and the size of their parents' bank accounts, we seem content to debate and delay help for those students.

We are content to promise reforms that never arrive. There is a price for our patience, a cost to our inertia, measured in squandered potential and stolen hope, measured by the advance of rage or retreat into apathy.

PRIVILEGE OF THE FLOOR

Mr. President, at this point I would like to offer a UC that I omitted to offer earlier. I ask unanimous consent that Brent Orrell, my legislative director, who has been very instrumental in putting all this together be granted floor privileges.

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

Mr. COATS. Mr. President, Gen. Julius Becton has been charged with reforming education in the District. He deserves our support. But by his own estimates, it will take 5 or 10 years to test his approaches. Similar changes have been promised by five new superintendents in the last 15 years.

I suspect that many District parents are skeptical. I believe they have every right to be. Put yourself for a moment into their shoes. What good does it do a parent who fears for the current safety and future prospects of their 13-year-old child to wait 10 more years for the results of public school reform? By admitting that public school reform in the District will be accomplished in decades, we are saying that the sacrifice of a generation of students is unavoidable.

But what if that child were our child? What if that child was the child or the grandchild of a Member of this body who was assigned to a school where physical attacks and robberies and drug sales are rampant, where education is failing, where the one opportunity they have to escape the poverty that they are living in, a decent education, is unavailable to them? Would we be content to sit back and let the bureaucrats tell us it will take a decade to reform these schools? Would those of us who have a 10- or 12- or 13-year-old be content for one moment to allow that situation to exist if there was anything we could do about it?

We are asking poor inner-city children and their parents to tolerate circumstances for years that most middle-class and affluent Americans would not tolerate for a moment. And we expect them to be satisfied and gratified with tinkering changes and symbolic votes on funding which have shown no history of results at all—nothing but failure, endlessly repeated, mindlessly accepted.

This city should be ashamed of its incompetence. And we in Congress should be ashamed of our failure to deliver some hope, some measure of improvement for these children. This is not an issue of whether or not local or State governments have a right to control education.

We in the Federal Government have the responsibility for this Federal city. We have a responsibility for the conduct of affairs in this city and in particular for the educational system in this city. That educational system has failed. It is time we offered some remedies.

With this bill we have set out to turn this justified embarrassment and shame into something productive, something immediately helpful, something hopeful, not something 10 years down the line, but something that can be hopeful immediately to children caught in this tragic situation.

The argument in favor of low-income school choice comes down to a single question which I hope every Member of this body will seriously ponder. Is it just, is it fair, is it compassionate to insist on the coercive assignment of poor children to failed schools?

It is a question which answers itself. No, it is not just, it is not fair, it is not compassionate, if there are alternatives that work, that can provide hope to these students, that can provide opportunity for these students to escape the failed education system that they currently are forced to comply with, alternatives that teach care and discipline.

Right now in the District of Columbia these alternatives exist but they

are rationed by cost, distributed by wealth. And that is not just, that is not fair, and that is not compassionate. Yet we can do something about it, at least in the District for at least some of the District's children.

Mr. President, I am entirely confident about two things in this debate, two facts that I think are beyond dispute. First of all, the children of our cities, even from broken homes in desolate neighborhoods, are capable of educational achievement. This should not be necessary to say because it is obvious to so many of us, but it is not obvious to the educational establishment.

The educational establishment argues exactly the opposite. They claim that schools fail because parents and students are failures themselves, complicating the work of educators with personal problems. I am sure you have heard this excuse that the jobs of teachers are impossible because families and communities refuse to help.

But, Mr. President, we know this is not true. We know that disadvantaged children are not educational failures by birth or circumstance or destiny. We know this as a matter of hard social science. We know this because of the success of nonpublic schools, primarily Catholic schools, that admit the same pool of urban students.

The late James Coleman of the University of Chicago found lower dropout rates and higher test scores among disadvantaged Catholic school students than their public school peers. William Evans and Robert Schwab, of the University of Maryland, came to similar conclusions, recording disproportionate gains by disadvantaged kids in Catholic schools. Other studies reveal that Catholic schools are more racially integrated than their public counterparts and succeed at about half the cost.

I want to repeat, studies have indicated that the Catholic schools are more racially integrated than urban public schools and they succeed where public schools fail, at half the cost of public schools.

These efforts succeed—with the same group of at-risk children—because Catholic education begins with an entirely different premise than the educational establishment: that every student can succeed if properly guided, and that 8 hours a day is a significant, even decisive, intervention in a child's life. This is not skimming. This is not creaming. This is faith and tenacity.

I pointed to Catholic urban schools because they have done such a remarkable job in our inner cities. There are other non-Catholic but religious schools and private schools that are secular schools that have demonstrated an ability to take the same students from the same areas, at half the cost or less, and do a better job in preparing those students for educational opportunities for the future or for employment opportunities for the future—an astoundingly better job.

So this argument that what can you do with these kids, ''After all, look at the families they are from, look at the disadvantages that they have, there is nothing that we can do except provide some kind of a baby-sitting service during daylight hours,'' that is untrue. We have side by side with these failing public schools in our urban areas, side by side, schools that are accomplishing success and not reaping failure, that are taking the same students and providing that success at less than half the cost of our public schools.

The second fact I am sure about is that low-income, inner city parents support school choice in growing and overwhelming numbers—75 percent in Philadelphia, 95 percent in Milwaukee. The Milwaukee and Cleveland school choice programs, the only ones of their kind, were not started by Republicans. They were started by parents fed up with their schools that their children were compelled to attend. They were sponsored and supported by an emerging element of African American leadership. Councilwoman Fannie Lewis of Cleveland, Annette ''Polly'' Williams of Milwaukee, Anyam Palmer of Los Angeles, State Representative Glenn Lewis of Ft. Worth, State Representative Dwight Evans of Philadelphia—these are not black Republican conservatives; they are activist Democrats who view school choice as a matter of equity. They are men and women who have come to resent a nanny state in which the nanny has grown surly and arrogant and abusive and unresponsive.

Alveda King, niece of Martin Luther King, Jr., in this Capitol just 2 weeks ago, referred to school choice as a matter of civil rights. She says:

> In the name of civil rights, some oppose relief for religious parents who want their children to attend a religious school. In the name of helping poor and minority children, opponents of ''opportunity scholarships'' want to continue business as usual in the Washington schools. . . . U.S. citizenship guarantees all parents an education for their children. This is a true civil right. Yet some children receive a better education than others, due to their parents' abilities to pay for benefits that are often missing in public schools. This inequity is a violation of the civil rights of the parents and children who are so afflicted by lack of income and by the mismanagement endemic to so many of the country's public school systems.

Ms. King concludes:

> The District of Columbia Student Opportunity Scholarship Act was designed specifically to alleviate this inequality—to restore parents' and children's civil rights.

To Alveda King and to many African-Americans today, this is a civil right, the opportunity for equality of opportunity in the education of their children.

In July of this year, the Labor and Human Resources Committee, on which I proudly serve, held a hearing on the school choice issue. It was particularly instructive. One witness was Howard Fuller, former superintendent of Milwaukee public schools—former superintendent of Milwaukee public schools, an outside-the-box thinker on education. He began by asking a fundamental question: What makes a school public? This is the answer he gave:

> What makes a school public is that it functions in the public interest.

That interest involves high standards, consistently met—not the provision of services by one group or another. The public interest is to ensure that this happens, through whatever mix of public policies which make it happen.

He goes on to say:

> Although there must continue to be strong support for public education, it is, in the final analysis, not the system that is important; it is the students and their families who must be primary. We must ask the question, what is the best interests of the children, not in the best interests of the system. And in my professional opinion, the interests of poor students are best served if they are truly given choice which permits them to pursue a variety of successful options, public and private.

Fuller testified that the most basic problem with the current system is a structure of power relationships that leads to inertia:

> If you do not somehow change the existing power relationships, the existing configurations, no matter how deeply you might feel about making change, it is not going to occur, because the dynamics of the system are a curb to the kind of change you want to make. If you leave it intact, and you operate under its current form, we are not going to make the difference that we want to make for all of the children. But this need not be the end of public education.

I want to repeat that for my colleagues, the former superintendent of the Milwaukee Public School System, who is talking about the need to change the structure of public education so that it truly can begin the real process of reform, this man says that it need not mean the end of the public school system.

Opponents of this opportunity scholarship program say, ''You really want to do away with the public school system.'' Not at all. We absolutely need a public school system in this country to begin to touch and educate the millions of children who live in this country, but we need a system that will provide them with equal opportunities for education, and they are not getting that now, particularly in many urban areas, and particularly among our minority children.

As Howard Fuller says:

> This need not be the end of public education. It is redefining what is a public educational system in 1997—not what it was in 1960, but what it should look like in 1997, 1998, the year 2000—[and beyond].

This shift in power and philosophy that Dr. Fuller describes involves a mix of approaches: strengthened public schools, low-income scholarships and charter schools. I am a supporter of all of those things. They are not mutually exclusive. Senator LIEBERMAN and I are not here today to say undo the public system and replace it with choice. We are saying we support a mix of things. They are not mutually exclusive. In fact, they are necessary to one another.

Dr. Fuller concludes:

I think you have to have a series of options for parents. I support charter schools. I support site-based management. I support anything that changes the options for parents. But I am here to say that if one of those options is not choice that gives poor parents a way to leave, the kind of pressure that you need internally is simply not going to occur.

Dr. Fuller, who supports a range of choice for parents, says if one of those options is not choice then poor parents have no way to leave the system and apply the kind of pressure that has to be applied internally if any major change is going to occur.

His points were buttressed by several inner-city parents who telephoned. Listen to Pam Ballard of Cleveland:

After being in the Cleveland public schools and having a child who attended Cleveland public schools, my daughter was listed a behavior problem. She was listed a ''D'' or ''F'' student in all subjects. She did not want to go to school. She had no interest in school. The students would hit her, kick her, mistreat her.

But Pam Ballard got a scholarship for her child at Hope Central Academy:

It made a difference. I see that difference every time I watch my daughters at play, studying, reading, learning. . . Please keep the scholarship and tutoring programs alive. It is a beginning, and we all need new beginnings. It has helped keep me and my daughters alive.

Listen to Barbara Lewis from Indianapolis, who got similar help for her child:

My son began to struggle in school. He was not getting the attention he needed. At no time did a teacher ever try to set up a parent-teacher conference to see what we could come up with to help my child. I requested extra credit work, and I tried to set up meetings with the teacher, to no avail. I began to lose hope. I felt that my child's gifts were being wasted.

Then an individual provided Ms. Lewis with a scholarship that the Indiana State Legislature failed to provide:

The values I was teaching him at home were finally reinforced at school. My son blossomed into an honor roll student, a student council leader, and a football standout.

School choice is not a new issue. People of financial means have always had this choice of where they would send their children, to what school. They could afford to move where they wanted, and they could afford the tuition for private schools, while lower-income families with the same hopes and dreams for their children and their children's futures are denied the choice, and they should not be.

Mr. President, it is my hope that the Senate will listen to these quiet voices rather than the strident voices of the education unions—voices of hyperbole and hypocrisy. The hyperbole comes in the accusation that we are destroying public education in the District with this measure. On the contrary, we are not even touching it. These scholarships are not deducted from District education funds. They represent entirely new money. The only challenge to public education in the District that they provide is the challenge of example—the example of at-risk students succeeding and private and religious schools where they have not succeed in public schools.

The hypocrisy is equally clear. While education unions oppose school choice, many inner-city public school teachers send their children to schools other than those which they teach. They are, in fact, two to three times more likely than other parents to send their children to private schools. In Milwaukee and Cleveland, for example, more than 50 percent of public school teachers send their own children to private schools. In the District, that figure is 28 percent, still twice the national average. I don't blame them. They are doing what is in the best interests of their own child. But I do blame education unions for actively denying that choice to others. The hypocrisy of the educational unions and the hypocrisy of those who say we must maintain the public school system and not allow opportunities for low-income people when they, themselves, send their children away from the public schools that they teach in so that they can get a better education at a private school.

We are not talking about sending children to St. Alban's or Sidwell-Friends. We are talking about sending young, fragile kids to schools with a little order, a little sanity, a little discipline, a little individual attention, a little love—schools like St. Thomas More in Anacostia, or the Nanny Hellen Burroughs School in Northeast, islands of nurture and learning.

I visited those schools. Senator LIEBERMAN and I have taken the opportunity to visit those schools. What a remarkable, remarkable difference at a fraction of the cost of the public schools. We cannot even begin to imagine the fears of a mother in the District who is forced to send her child through barbed wire and metal detectors, into a combat zone masquerading as an education institution. If we do not take the side of that mother with immediate, practical help, we will betray her yet again. I, for one, intend to take the side of these parents without hesitation or without apology and without delay. I urge my colleagues to do the same.

I yield the floor but reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from California

Mrs. BOXER. Mr. President, this is a very important debate. Yesterday when we opened debate on the D.C. appropriations, I urged colleagues on both sides not to come forward with controversial amendments because I feel, particularly in light of the situation in the District of Columbia, we need to move on with this bill. But such is not the case and every Senator has every right to bring an issue to the floor at any time, and that is what has happened here. We do have a long, extensive debate on the issue of vouchers.

Mr. President, as I said yesterday, I don't think this is about anything but our children. I don't think it is about strong voices. I don't think it is about quiet voices.

I don't think it is about passionate voices. I think it is about our children. How can we help our children? I think there is complete agreement that one way to help our children is to make sure they have the best education in the world. I don't think that is the question. So what I think it is about is not about us, it is about the children. It is about how we help them get the best education possible. As someone who believes in a free public education, as someone who attended public schools all the way from kindergarten to college, and as someone who sent my children to public schools, and as someone who represents a State that has rejected private school vouchers with taxpayer funds twice overwhelmingly, I think I stand here with some credibility on the subject.

It really amazes me, in a year when the District of Columbia students started their school year late because many of their school buildings were not safe, that we are voting on amendments that essentially gives money to private schools. What I said yesterday when I alluded to this amendment is that it would be very hard for many of us to support an amendment that helps 3 percent of the students—or purports to help 3 percent of the students, while leaving 97 percent without any additional help.

I want to make the point with a chart that I am going to just leave up here. I think that what we need is a 100-percent solution, which is quality public schools for all the children. That is what we need. As I go around my State, I have an ''Excellence in Education'' award that I give out to parents, to teachers, to principals, to business leaders, who are all helping get to quality public schools for all. Yes, we have problem public schools in our State. We also have some great public schools in our State. I think what we need to do, rather than give money to the private schools when we know we don't have extra funding, is to ensure that we taxpayers don't divert the money into private schools, but instead, make sure that it is diverted where it belongs, to all the children. So we are faced here with private school vouchers for a few—for 3 percent, a couple thousand of the kids in the District of Columbia while there are 78,000 who absolutely are going to lose by this. And so I hope people will support the 100 percent solution that many of us are supporting, rather than a 3-percent solution.

Now, what do I mean by a 100-percent solution? I mean that we should do things that help all of our children. What are some of those things? We know that our colleague, Senator CAROL MOSELEY-BRAUN, has pointed out that many of our schools are crumbling, that there are serious problems with them. It certainly was brought home not only here in the District of Columbia, but in other parts of the country, as other schools also opened late because they were dealing with

these repairs. So here we go, some want to give $7 million—$7 million—to private schools. By the way, allowing a lot off the top for administration—and I will get into that—and that whole new bureaucracy that is set up in this amendment is extraordinary. I am going to read you the amendment, about the bureaucracy it sets up. The schools need help in terms of the facilities. We could have mentoring programs for these children, academic assistance, bringing in the business community, recreational activities, technology training. As the President has said, every child should know how to log onto a computer in our schools.

There are other viable school activities, drug, alcohol and gang prevention, health and nutrition counseling, and job skills preparation. Mr. President, if you look at the rate of crime committed by juveniles, it would amaze you to see the spike-up between the hours of 3 and 6 p.m. It seems to me that since we do have a great desire here to help the kids of the District of Columbia, we ought to be helping all of them from a menu of things that we could do for the $7 million that, if this amendment passes, will be diverted away from all the children.

Now, I want to point out that, under this amendment, the District of Columbia would be used as a guinea pig. It is a scheme that many States have rejected. I talked about my own State of California. Recent voucher proposals in Washington State and Colorado and California have lost by over 2-to-1 margins. A recent Gallup poll said that 71 percent of Americans believe the focus of improvement efforts should be on reforming the existing public school system rather than on finding an alternative system. Congress should not enact what the American people reject.

Funds should not go to private schools when the District of Columbia has such stark needs. Their needs are $2.1 billion to repair the schools, and 41 percent don't have enough power outlets and electrical wiring to accommodate computers and multimedia equipment. So we are taking $7 million and giving it to the private schools, many of which have endowments. And 66 percent of D.C. schools have inadequate heating, ventilation, and air conditioning. So we are taking 3 percent of the kids out of there and leaving 97 percent of the kids in a situation where they don't even have basic heating and air conditioning. Public dollars should not be routed to private schools before public school students in the District of Columbia get what they need.

Now, I want to point this out because the Senator from Indiana quoted a number of people from the District of Columbia and called them the ''quiet voices.'' Let me add to some of the voices from a press conference that was held on September 17, with 11 ministers and the D.C. Congresswoman ELEANOR HOLMES NORTON. Representative ELEANOR HOLMES NORTON, who worked so very hard on this underlying bill, so very hard with Republicans and Democrats alike, talks about this proposal that would divert $7 million to private schools and leave 97 percent of the kids without any improvement. She says: ''Virtually the entire city is speaking out against vouchers. The voucher movement is trying to use the children of the District of Columbia as steppingstones. We know what we want, and it's not vouchers. Hear the people: We can't waste money in this District.''

The Reverend Graylan Ellis-Hagler from the Plymouth Congregational UCC Church says: ''[Sterling] Tucker's letter sent to D.C. clergy was deceptive at best—it never even used the word 'voucher'. The voice of the people has been ignored. We are having vouchers rammed down our throats.''

The Reverend Vernor Clay, Lincoln United Methodist Church: ''We have voted down vouchers in the past. Our voice will not be undermined. Put money into the infrastructure of our schools if you're going to put it anywhere. [Put it] into our public students.'' He said, ''I'm ashamed I signed my name to Tucker's letter. I was misled my him and his hired lobbyist.''

Reverend Dr. Earl Trent from the Florida Avenue Baptist Church: ''I am outraged that Congress has stepped on our rights. We want nothing to do with vouchers. It is going to harm a majority of our schools. Let the Congressmen try vouchers in their own States.''

Well, of course, in my State, it was voted down twice.

Rev. Anthony Moore, Carolina Missionary Baptist Church: ''We all [the ministers] stand united against vouchers. If you want to help our schools, give them money for repairs and supplies, not foolish programs.''

Rev. Willie Wilson, Union Temple Baptist Church: ''This has been a very undemocratic process. The Government should be by and for the people. As a community, we voted vouchers out, but now they're being forced on us. I was lied to by Rep. Tucker and his lobbyist. The letter was designed to rob the District of Columbia.''

Rev. Jennifer Knutson, Foundry United Methodist Church: ''Vouchers are not the answer. Public money should be spent on our public schools.''

So here are some religious voices that are speaking out pretty unified. ELEANOR HOLMES NORTON, who is a tremendous representative of the people here and works so hard on these bills, is adamant on this point because she represents all the children, not just 3 percent of the children. She doesn't want a 3 percent solution, she wants a 100 percent solution. It is such an abandonment of the children to go this route. That is why voters in California, which is on the cutting edge of change, rejected this idea. We should not give up on our children.

Now, here is an interesting point. The Senator from Indiana has very eloquent, heartfelt remarks and, believe me, I greatly respect them. He talked a lot about the bureaucracy of the D.C. schools. He took probably several moments of his introduction to go after them. I don't defend any bureaucracy. I never have and I never will. But I have to tell you, he talked about the ''nanny'' State. If ever there was an example of bureaucracy, it is the way this program is going to be administered. I am not going to put my own spin on it, I say to my colleagues, I am going to read the bill. I am going to read the bill, starting on page 7 and ending—I have to get the right page number here—on page 34. That is how long it takes to explain how this thing is going to work.

DISTRICT OF COLUMBIA SCHOLARSHIP CORPORATION.

GENERAL REQUIREMENTS.—

This is the bill, folks, this is the amendment we are being asked to vote on that will address 3 percent of the kids. This is the bureaucracy that is going to address a couple of thousand kids. This is the bureaucracy that is going to be created that is political when you hear how the appointments are made. It sticks politics right in the middle of these children. This is the bureaucracy that is the answer to what my colleague calls the ''nanny State.''

Let me read it to you:

There is authorized to be established a private, nonprofit corporation, to be known as the ''District of Columbia Scholarship Corporation,'' which is neither an agency nor establishment of the United States Government or the District of Columbia government.

(2) DUTIES.—The Corporation shall have the responsibility and authority to administer, publicize, and evaluate the scholarship program in accordance with this title, and to determine student and school eligibility for participation in such program.

(3) CONSULTATION.—The Corporation shall exercise its authority—

(A) in a manner consistent with maximizing educational opportunities for the maximum number of interested families; and

(B) in consultation with the District of Columbia Board of Education or entity exercising administrative jurisdiction over the District of Columbia Public Schools, the Superintendent of the District of Columbia Public Schools, and other school scholarship programs in the District of Columbia.

(4) APPLICATION OF PROVISIONS.—The Corporation shall be subject to the provisions of this title, and, to the extent consistent with this title, to the District of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29–501 et seq.).

(5) RESIDENCE.—The Corporation shall have its place of business in the District of Columbia and shall be considered, for purposes of venue in civil actions, to be a resident of the District of Columbia.

(6) FUND.—There is established in the Treasury a fund that shall be known as the District of Columbia Scholarship Fund, to be administered by the Secretary of the Treasury.

(7) DISBURSEMENT.—The Secretary of the Treasury shall make available and disburse to the Corporation, before October 15 of each fiscal year or not later than 15 days after the date of enactment of an Act making appropriations for the District of Columbia for such year, whichever occurs later, such funds as have been appropriated to the District of Columbia Scholarship Fund for the fiscal year in which such disbursement is made.

(8) AVAILABILITY.—Funds authorized to be appropriated under this title shall remain available until expended.

(9) USES.—Funds authorized to be appropriated under this title shall be used by the Corporation in a prudent and financially responsible manner, solely for scholarships, contracts, and administrative costs.

(10) AUTHORIZATION.—

(A) IN GENERAL.—There are authorized to be appropriated to the District of Columbia Scholarship Fund—

(i) $7,000,000 for fiscal year 1998;

(ii) $8,000,000 for fiscal year 1999; and

(iii) $10,000,000 for each of fiscal years 2000 through 2002.

(B) LIMITATION.—Not more than 7.5 percent of the amount appropriated to carry out this title for any fiscal year may be used by the Corporation for salaries and administrative costs.

(b) ORGANIZATION AND MANAGEMENT; BOARD OF DIRECTORS.—

(1) BOARD OF DIRECTORS; MEMBERSHIP.—

(A) IN GENERAL.—The Corporation shall have a Board of Directors (referred to in this title as the ''Board''), comprised of 7 members with 6 members of the Board appointed by the President not later than 30 days after receipt of nominations from the Speaker of the House of Representatives and the Majority Leader of the Senate.

So NEWT GINGRICH and TRENT LOTT will recommend these to the President.

(B) HOUSE NOMINATIONS.—The President shall appoint 3 of the members from a list of 9 individuals nominated by the Speaker of the House of Representatives in consultation with the Minority Leader of the House of Representatives.

(C) SENATE NOMINATIONS.—The President shall appoint 3 members from a list of 9 individuals nominated by the Majority Leader of the Senate in consultation with the Minority Leader of the Senate.

(D) DEADLINE.—The Speaker of the House of Representatives and Majority Leader of the Senate shall submit their nominations to the President not later than 30 days after the date of the enactment of this Act.

(E) APPOINTEE OF MAYOR.—The Mayor shall appoint 1 member of the Board not later than 60 days after the date of the enactment of this Act.

(F) POSSIBLE INTERIM MEMBERS.—If the President does not appoint the 6 members of the Board in the 30-day period described in subparagraph (A), then the Speaker of the House of Representatives and the Majority Leader of the Senate shall each appoint 2 members of the Board, and the Minority Leader of the House of Representatives and the Minority Leader of the Senate shall each appoint 1 member of the Board, from among the individuals nominated pursuant to subparagraphs (A) and (B), as the case may be. The appointees under the preceding sentence together with the appointee of the Mayor, shall serve as an interim Board with all the powers and other duties of the Board described in this title, until the President makes the appointments as described in this subsection.

(2) POWERS.—All powers of the Corporation shall vest in and be exercised under the authority of the Board.

(3) ELECTIONS.—Members of the Board annually shall elect 1 of the members of the Board to be the Chairperson of the Board.

(4) RESIDENCY.—All members appointed to the Board shall be residents of the District of Columbia at the time of appointment and while serving on the Board.

(5) NONEMPLOYEE.—No member of the Board may be an employee of the United States Government or the District of Columbia Government when appointed to or during tenure on the Board, unless the individual is on a leave of absence from such a position while serving on the Board.

My colleagues know that this is not one of the most inspiring speeches that I have ever made. But I think it is important that we read this entire amendment because it deals with setting up a whole other bureaucracy for 2,000 children in the District of Columbia—just 3 percent of the children—and enables this bureaucracy to take 7.5 percent off the top of the $7 million. I think it is important that we see what we are creating here.

(6) INCORPORATION.—The members of the initial Board shall serve as incorporators and shall take whatever steps are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29–501 et seq.).

(7) GENERAL TERM.—The term of office of each member of the Board shall be 5 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor was appointed shall be appointed for the remainder of such term.

(8) CONSECUTIVE TERM.—No member of the Board shall be eligible to serve in excess of 2 consecutive terms of 5 years each. A partial term shall be considered as 1 full term. Any vacancy on the Board shall not affect the Board's power, but shall be filled in a manner consistent with this title.

(9) NO BENEFIT.—No part of the income or assets of the Corporation shall inure to the benefit of any Director, officer, or employee of the Corporation, except as salary or reasonable compensation for services.

(10) POLITICAL ACTIVITY.—The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

(11) NO OFFICERS OR EMPLOYEES.—The members of the Board shall not, by reason of such membership, be considered to be officers or employees of the United States Government or of the District of Columbia Government.

(12) STIPENDS.—The members of the Board, while attending meetings of the Board or while engaged in duties related to such meetings or other activities of the Board pursuant to this title, shall be provided a stipend. Such stipend shall be at the rate of $150 per day for which the member of the Board is officially recorded as having worked, except that no member may be paid a total stipend amount in any calendar year in excess of $5,000.

(c) OFFICERS AND STAFF.—

So members of the board can be paid $5,000 and they are helping 3 percent of the kids in the District of Columbia.

(1) EXECUTIVE DIRECTOR.—The Corporation shall have an Executive Director, and such other staff, as may be appointed by the Board for terms and at rates of compensation, not to exceed level EG–16 of the Educational Service of the District of Columbia, to be fixed by the Board.

(2) STAFF.—With the approval of the Board, the Executive Director may appoint and fix the salary of such additional personnel as the Executive Director considers appropriate.

So we have a board where members can have a stipend not to exceed $5,000. We have an executive director, and he or she can appoint and fix the salary of such additional personnel as the executive director considers appropriate, all to help 3 percent of the kids while 97 percent of the kids get no benefit from this.

(3) ANNUAL RATE.—No staff of the Corporation may be compensated by the Corporation at an annual rate of pay greater than the annual rate of pay of the Executive Director.

(4) SERVICE.—All officers and employees of the Corporation shall serve at the pleasure of the Board.

(5) QUALIFICATION.—No political test or qualification may be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, or employees of the Corporation.

(d) POWERS OF THE CORPORATION.—

(1) GENERALLY.—The Corporation is authorized to obtain grants from, and make contracts with, individuals and with private, State, and Federal agencies, organizations, and institutions.

(2) HIRING AUTHORITY.—The Corporation may hire, or accept the voluntary services of, consultants, experts, advisory boards, and panels to aid the Corporation in carrying out this title.

(e) FINANCIAL MANAGEMENT AND RECORDS.—

(1) AUDITS.—The financial statements of the Corporation shall be—

(A) maintained in accordance with generally accepted accounting principles for nonprofit corporations; and

(B) audited annually by independent certified public accountants.

(2) REPORT.—The report for each such audit shall be included in the annual report to Congress required by section 11(c).

We are only on page 16 and we have to go to page 32. But I think we are learning by reading this what a bureaucracy we are about to embark upon.

(f) ADMINISTRATIVE RESPONSIBILITIES.—

(1) SCHOLARSHIP APPLICATION SCHEDULE AND PROCEDURES.—Not later than 30 days after the initial Board is appointed and the first Executive Director of the Corporation is hired under this title, the Corporation shall implement a schedule and procedures for processing applications for, and awarding, student scholarships under this title. The schedule and procedures shall include establishing a list of certified eligible institutions, distributing scholarship information to parents and the general public (including through a newspaper of general circulation), and establishing deadlines for steps in the scholarship application and award process.

(2) INSTITUTIONAL APPLICATIONS AND ELIGIBILITY.—

(A) IN GENERAL.—An eligible institution that desires to participate in the scholarship program under this title shall file an application with the Corporation for certification for participation in the scholarship program under this title that shall—

(i) demonstrate that the eligible institution has operated with not less than 25 students during the 3 years preceding the year for which the determination is made unless the eligible institution is applying for certification as a new eligible institution under subparagraph (C);

So, if you hear that, schools can be created that have no track record and pop up and get this taxpayer dollar. There it is on page 17.

Two, contain insurance that the eligible institution will comply with all of the applicable requirements, three contain an annual statement of the eligible institutions budget, four, describe the eligible institutions proposed program including personnel qualifications and fees.

(ii) contain an assurance that the eligible institution will comply with all applicable requirements of this title;

(iii) contain an annual statement of the eligible institution's budget; and

(iv) describe the eligible institution's proposed program, including personnel qualifications and fees.

So, it is possible under this bill to create a brandnew institution just to get this publicized.

(B) CERTIFICATION.—

(i) IN GENERAL.—Except as provided in subparagraph (C), not later than 60 days after receipt of an application in accordance with subparagraph (A), the Corporation shall certify an eligible institution to participate in the scholarship program under this title.

(ii) CONTINUATION.—An eligible institution's certification to participate in the scholarship program shall continue unless such eligible institution's certification is revoked in accordance with subparagraph (D).

(C) NEW ELIGIBLE INSTITUTIONS.—

(i) IN GENERAL.—An eligible institution that did not operate with at least 25 students in the 3 years preceding the year for which the determination is made may apply for a 1-year provisional certification to participate in the scholarship program under this title for a single year by providing to the Corporation not later than July 1 of the year preceding the year for which the determination is made—

(I) a list of the eligible institution's board of directors;

(II) letters of support from not less than 10 members of the community served by such eligible institution;

(III) a business plan;

(IV) an intended course of study;

(V) assurances that the eligible institution will begin operations with not less than 25 students;

(VI) assurances that the eligible institution will comply with all applicable requirements of this title; and

(VII) a statement that satisfies the requirements of clauses (ii) and (iv) of subparagraph (A).

(ii) CERTIFICATION.—Not later than 60 days after the date of receipt of an application described in clause (i), the Corporation shall certify in writing the eligible institution's provisional certification to participate in the scholarship program under this title unless the Corporation determines that good cause exists to deny certification.

So, here we have it, folks. The Senator from Indiana talked about the great private schools, and, yet, under this you can just spring up with a new one, and bring in those tax dollars for 2,000 kids, and you leave behind 97 percent of the children. There are 78,000 children in D.C. schools. You are setting up in this amendment and a bureaucracy that is extraordinary allowing new schools to pop up, and scholarships are going to be made available to 2,000 children. And the stipend that goes to the board of directors exceeds the amount of the scholarship, and the executive director can hire anyone he or she wants. They have a cap on overall administration, but do whatever he or she wants as long as they are not paid more than he gets paid or she gets paid. But I am only on page 20.

There I pause.

(iii) RENEWAL OF PROVISIONAL CERTIFICATION.—After receipt of an application under clause (i) from an eligible institution that includes a statement of the eligible institution's budget completed not earlier than 12 months before the date such application is filed, the Corporation shall renew an eligible institution's provisional certification for the second and third years of the school's participation in the scholarship program under this title unless the Corporation finds—

(I) good cause to deny the renewal, including a finding of a pattern of violation of requirements described in paragraph (3)(A); or

(II) consistent failure of 25 percent or more of the students receiving scholarships under this title and attending such school to make appropriate progress (as determined by the Corporation) in academic achievement.

(iv) DENIAL OF CERTIFICATION.—If provisional certification or renewal of provisional certification under this subsection is denied, then the Corporation shall provide a written explanation to the eligible institution of the reasons for such denial.

(D) REVOCATION OF ELIGIBILITY.—

(i) IN GENERAL.—The Corporation, after notice and hearing, may revoke an eligible institution's certification to participate in the scholarship program under this title for a year succeeding the year for which the determination is made for—

(I) good cause, including a finding of a pattern of violation of program requirements described in paragraph (3)(A); or

(II) consistent failure of 25 percent or more of the students receiving scholarships under this title and attending such school to make appropriate progress (as determined by the Corporation) in academic achievement.

(ii) EXPLANATION.—If the certification of an eligible institution is revoked, the Corporation shall provide a written explanation of the Corporation's decision to such eligible institution and require a pro rata refund of the proceeds of the scholarship funds received under this title.

(3) PARTICIPATION REQUIREMENTS FOR ELIGIBLE INSTITUTIONS.—

(A) REQUIREMENTS.—Each eligible institution participating in the scholarship program under this title shall—

(i) provide to the Corporation not later than June 30 of each year the most recent annual statement of the eligible institution's budget; and

(ii) charge a student that receives a scholarship under this title not more than the cost of tuition and mandatory fees for, and transportation to attend, such eligible institution as other students who are residents of the District of Columbia and enrolled in such eligible institution.

(B) COMPLIANCE.—The Corporation may require documentation of compliance with the requirements of subparagraph (A), but neither the Corporation nor any governmental entity may impose requirements upon an eligible institution as a condition for participation in the scholarship program under this title, other than requirements established under this title.

SEC. ___04. SCHOLARSHIPS AUTHORIZED.

(a) ELIGIBLE STUDENTS.—The Corporation is authorized to award tuition scholarships under subsection (c)(1) and enhanced achievement scholarships under subsection (c)(2) to students in kindergarten through grade 12——

(1) who are residents of the District of Columbia; and

(2) whose family income does not exceed 185 percent of the poverty line.

(b) SCHOLARSHIP PRIORITY.—

(1) FIRST.—The Corporation first shall award scholarships to students described in subsection (a) who——

(A) are enrolled in a District of Columbia public school or preparing to enter a District of Columbia public kindergarten, except that this subparagraph shall apply only for academic years 1997–1998, 1998–1999, and 1999–2000; or

(B) have received a scholarship from the Corporation for the academic year preceding the academic year for which the scholarship is awarded.

I see the Senator from Rhode Island is here. I know the Senator from Connecticut is waiting to be heard. But I think it is very important that we read this amendment because one of the criticisms about schools in general is that they are bureaucratic and you can't get more bureaucratic in my mind than this.

I want to point out that 7.5 percent of $7 million for administration and reimbursement to this board of directors is $525,000. That is over half a million dollars for a brand new bureaucracy—just what we do not need, frankly, at this point.

Now, I am going to skip some of this in the interest of time, but I am going to read some of it.

(3) LOTTERY SELECTION.—The Corporation shall award scholarships to students under this subsection using a lottery selection process whenever the amount made available to carry out this title for a fiscal year is insufficient to award a scholarship to each student who is eligible to receive a scholarship under this title for the fiscal year.

So we are helping 3 percent of the kids, and sometimes it will be a lottery.

And so as to save time, I am going to go to a very interesting part here. It goes on and on and on. There is a subsection on civil rights and a very important part in here.

An eligible institution participating in the scholarship program under this title shall not discriminate on the basis of race, color, national origin, or sex in carrying out the provisions of this title.

It is very important that that be in here.

APPLICABILITY AND CONSTRUCTION WITH RESPECT TO DISCRIMINATION ON THE BASIS OF SEX.—

With respect to discrimination on the basis of sex, subsection (a) shall not apply to an eligible institution that is controlled by a religious organization if the application of subsection (a) is inconsistent with the religious tenets of the eligible institution.

Now, this goes on and talks about single-sex schools, classes or activities, revocations, and then there is actually a part in this amendment that I saw that deals with abortion.

OK, on page 29 of this bill that sets up scholarships for children, we say here:

With respect to discrimination on the basis of sex nothing in subsection (a) shall be construed to require any person, or public or private entity to provide or pay, or to prohibit any such person or entity from providing or paying, for any benefit or service, including the use of facilities, related to an abortion.

Now, I just have to say we are talking about a scholarship program for kids aged from kindergarten until about age 12, and we have a section in here on abortion.

I say to anybody reading this—and I have slowed it down in deference to my colleagues who are on the other side of the issue who want to be heard on this—I say that anybody reading this would have to agree, how you can stand up here and fight against bureaucracy and the nanny state and then defend an

amendment like this which sets up an entire new bureaucracy, which sets up a board of directors that can be paid as much as $5,000 a year, more than the scholarships you are giving, which sets up a situation that a brand new school can pop up, I suppose as long as they get through the board of directors. Maybe they have some clout because who is appointing the board of directors? Politicians—politicians—the majority leader, in consultation with the minority leader, the Speaker in consultation with the Democratic leader over there.

What is this? For a scholarship program that at best will serve 2,000 students and leaving 76,000 students with nothing, and a half-million dollars off the top for administrative costs, and that is just now.

I was on the board of directors once of a preschool center when my kids were little. It was wonderful. It was nonsectarian, but it actually happened to be a community that used a church facility. We had a tremendous scholarship program. And I have to tell you, it was a great scholarship program—a private institution, nonprofit—and we did not need to have all of this. If the private sector wants to help the kids, they can put forward some scholarships on their own. We do not need to set up a new, massive bureaucracy. That is what I call it. Because you read this—I am sure everyone who might have been listening to it fell asleep—going through pages and pages of regulations, you find out that in fact members of the board can be paid more than an individual gets who gets the scholarship; you find out in fact it is the Speaker of the House and majority leader, and in this case the Democratic minority, who have input into who sits on this board of directors. The President gets to appoint them on recommendation from at this point TRENT LOTT and NEWT GINGRICH after consultation with their counterparts.

This is not the end of the nanny state. This is the beginning of the political state in the middle of our children's lives.

I look forward to working with my colleagues on both sides of the aisle to putting forward something that is going to help 100 percent of the kids. We know after-school programs are needed by these children. We know that after-school programs work. I say to my colleagues who are for this, let me show you LA's Best, an after-school program for LA's kids. Boy, those kids are so successful. They are doing 75 percent better than the kids that do not go to that after-school program.

Let's get new textbooks. This amendment provides $7 million. For $1 million, we can get new textbooks for every third, fourth and fifth grader in the D.C. schools. I remember when I was a kid opening the books and smelling the new school books. We all remember those days. And today our kids get textbooks that are falling apart. For $1 million of the $7 million we can do this. For $3.5 million we can have 70 after-school programs so our kids are not home alone and they have somebody to say ''yes'' to. We could get new boilers for the schools. It costs $19,000 per boiler to keep those kids warm. We could fix many of the problems in our D.C. schools for 100-percent of the children.

I hope as Members consider how to vote on this they will go for a 100 percent solution, not the 3 percent solution which is so unfair to the children and sets up a bureaucracy that steals money right off the top—a half-million dollars to go to boards of directors and executive directors and all of those things I read to you. And so I thank my colleagues for their patience and I yield the floor but retain the remainder of our time on this side.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Indiana.

Mr. COATS. Mr. President, I would like to yield as much time as the Senator from Connecticut, coauthor of this provision and partner with me in this effort, may consume. I appreciate his support and help in this effort.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Chair. I thank my friend and colleague from Indiana. I thank him particularly for his consistent leadership in this effort. I am proud to be his cosponsor along with Senator BROWNBACK, a Republican Senator, colleague, and friend from Kansas, and—and I mention this with some pleasure—Senator LANDRIEU, our new colleague, Democratic Senator from Louisiana, is also a cosponsor.

Mr. President, before I get to laying out the reasons why I am for this measure, I just want to respond to something our colleague from California said.

The Senator from California kept stressing over and over again this foundation, this nonprofit board that we are setting up to administer these scholarships and talked about the enormous amount of money that it was going to spend—bureaucracy, overhead. In the amendment, which we are putting in to create this program, the noninstructional, the administrative costs are capped to 7.5 percent. It does come to a little bit over a half-million dollars. But take a look at the budget of the District of Columbia Public School System. Noninstructional central administration and overhead, 33 percent. Only two-thirds of the money we give—and we give well over half a billion of public money to the District of Columbia—two-thirds of that gets spent on instruction, one-third on central administration.

The amendment Senator COATS and I are putting in caps central administration for this scholarship program at 7.5 percent. So I do not think that is a very good argument to oppose our amendment. In fact, our amendment is pretty tightly drawn where 92.5 percent of the money we give will go to the kids and the parents. Let them decide where they want it to go for their education.

Mr. President, this is a very important amendment. There is a certain way in which a lot of us—and I am guilty of this some myself—are kind of predisposed. We go by momentum. We judge, well, which group of my friends, which interest is on which side, which interest group is on the other side. I appeal to people, our colleagues here and, frankly, particularly directly to those in my own party, to take a look at this amendment. Senator BOXER read from the amendment.

After you read the amendment, read this: ''Children in Crisis, a Report on the Failure of D.C.'s Public Schools, November 1996,'' written on behalf of the District of Columbia Financial Responsibility and Management Assistance Authority, the control board we created.

What is the conclusion? It is documented in painful—if I had a child in this system I would say infuriating, heartbreaking—detail. I quote:

> The deplorable record of the District's public schools by every important educational and management measure has left one of the city's most important public responsibilities in a state of crisis, creating an emergency which can no longer be ignored or excused. The District of Columbia Public School [System] is failing in its mission to educate the children of the District of Columbia. In virtually every area and for every grade level, the system has failed to provide our children with a quality education and a safe environment in which to learn.

I stress the word ''emergency'' because I am going to come back to that word. There is an emergency in the District of Columbia Public School System and we are devoting a lot of effort—as I said before, over $500 million, $564 million in this bill, going from the Federal taxpayers to the District of Columbia Public School System. We are doing everything we can to try to make it better. What is wrong with taking $7 million, compared to the $564 million, and saying in this state of emergency, good God, let's give 2,000 kids and their parents a chance to get out of the emergency and better their own lives, better their education so they can provide for themselves?

That is what this is about. It would do nothing more than offer 2,000 children from low-income homes the opportunity to attend a better school. Incidentally, we often don't mention it, but there is another part of it. It would offer 2,000 additional disadvantaged children of the District of Columbia, who go to the public schools and want to stay there, the opportunity for a $500 scholarship to use for exactly the kind of program Senator BOXER talked about: After-school tutoring, enrichment, the kind of program that will help that child have a better prospect of doing better, even within the tough circumstances in the District of Columbia system. That is all this is about.

People talk about this as if, I don't know, it is un-American. It is actually

fundamentally American, because it deals with equal opportunity, making it real for kids who are trapped in a school system in which, no matter how much most of them work, and their parents hope for them, they are not going to have an equal opportunity. They are not going to have the same opportunity that those many in the District of Columbia, the richer ones, who send their kids to private schools and other schools, are going to have.

Listen to some of the critics of this amendment and you would think we were going to cause the sky to fall down on public education. Just over the last week a number of organizations that I consider to be well-intentioned have flooded the Hill with shrill letters proclaiming that this bill is discriminatory, that it is unconstitutional; possibly, from what you read, the single greatest threat to American education since I don't know what. Even Secretary of Education Richard Riley, a man I admire so much, went so far as to suggest this week that our bill would ''undermine a 200-year American commitment to the common school.''

Mr. Secretary, respectfully, that is just not so. Those of us sponsoring this amendment are having a hard time reconciling the exaggerated rhetoric of our critics with the actual details of our plan. Let me repeat. We are talking about spending $7 million next year to fund this program, compared to the $564 million we are giving to the public schools in the District. That is about two-tenths of 1 percent for this test, for this pilot program, for this lifeline to a couple of thousand disadvantaged kids in the District. We don't take one dime away from the D.C. public schools with this amendment. And this small, experimental program is purely voluntary. No people who are satisfied with their current public school will be forced to make any other choice.

The only explanation I can come up with, after the years of listening to the wild allegations that have accompanied the school choice debate, is, if I may put it this way, that love is blind, even in public policy circles. Our critics are so committed to the noble mission of public education that they have shut their eyes to the egregious failures in so many of our public schools and insisted on defending the indefensible; insisted on blocking children in a situation that the D.C. control board describes as an emergency from getting out of that emergency. So they are conditioned to believe that any departure from their orthodoxy is tantamount to the death of their cause. They refuse to even concede the possibility that offering children this kind of choice would give them a chance at a better life while we are investing so much and working so hard nationally and here in the District to repair and reform our public schools.

Of course our public schools will always be our priority concern when it comes to educating our children. But what about the ones who are—this is as if a child was in the middle of a fire and somebody was offering a lifeline out and somebody says, ''Oh, no, no, no, the building they are in is a historic building. That is not fair to the child.''

Listen to the complaints of some of the critics and you will see, I am afraid, that they have concocted a flexible fiction that allows them to believe this fight, their fight, is right, no matter what the facts say. In the alternative universe of the critics, money is the solution to problems that, in fact, are often created by wasteful bureaucracies. Private schools to which many choice critics themselves send their kids are not right, somehow, for children of the poor, seems to be the implication in the criticism, and giving a poor parent the same choices that heretofore have been reserved for those who can afford them amounts, somehow, to an act of discrimination instead of what it is, an act of empowerment.

Nowhere have the myths been stretched further than in the case of this D.C. scholarship amendment. I just want to spend a few moments to recite for my colleagues some of the more spurious charges that have been made, and to respond to them. I think it is important to do so because I want to make every effort I can to make sure that Members of the Senate have accurate information about this amendment before they make up their minds on how to vote. I also hope to demonstrate the extraordinary lengths to which our critics have gone to attack this plan and uphold what I feel is a failed dogma, which is irrelevant to and insensitive to the trap in which thousands of D.C. students and their parents find themselves today: Unsafe schools—unsafe structurally and unsafe in terms of crime—where too many teachers are not actually educating the children.

I am going to talk about some myths.

Myth No. 1: This amendment would drain desperately needed resources from D.C. public schools. I think I have talked a bit about that, but, very briefly, the funding for our program comes from the Federal payment to the city. It would have no impact on the D.C. school budget. Put it another way, if this amendment fails, the D.C. schools will not get one additional penny. This criticism is based on the misguided notion that throwing more money at the D.C. public schools will solve the crisis they are experiencing. The truth is that the Washington Post did not label the D.C. public school system a well-financed failure for nothing.

The Senator from California said, ''Why not take the $7 million and give it to 100 percent of the children? Give it to the school system.'' For what? To better finance the failure that too many of them are struggling to get an education and build a life for themselves under?

I refer my colleagues briefly to this chart which was taken directly from that D.C. control board study that I referenced earlier. The District of Columbia Public School System in fact has one of the highest per-pupil expenditures in the country, spending an average of $1,100 more per child than cities of comparable size. Here is the District of Columbia. It spends $7,655. These are per-pupil, from 1994 and 1995—$7,655. The national average is $6,084. And look at neighboring districts, districts around the District of Columbia: $6,552. They spend slightly more than $1,000 less than the D.C. school systems spend. You can go on. The chart speaks for itself. Only Newark spends more than the District of Columbia per child.

So it is not money here, it is the way the money is being spent. Put $7 million to 100 percent of the kids, what are you going to get? If I may build on the Washington Post conclusion, a better financed failure. Take the $7 million, give it to these 2,000—4,000 students, you are going to give them a chance at a better education and a better life. I will readily concede that the $7 million could be tacked onto the public school budget. But we have to ask ourselves, will that really help the kids who are there now, spreading the money on top of a bureaucracy that is still having trouble counting how many students it has—which is what this Control Board report tells us? Or putting it directly into the hands of 2,000 families so they can attend a school they are confident can educate their child. If we are asking what is best for the students and not what is best for the system, there is no question what will do more good right away, in this coming year, and that is the scholarship program.

Myth No. 2, often heard about school choice and heard about this program. The scholarship is too low to pay for private school and there is no space at private schools for these kids, so it is kind of a sham. Wrong. Our critics seem to have a dated image of the universe of private and faith-based schools, one that assumes that every school is Saint Alban's or Sidwell Friends. There are 88 private and parochial schools inside the beltway that cost less than $4,000 per student, including 60 that cost less than the $3,200 scholarship our amendment would provide. There are at least 2,200 spots now open in schools with tuition less than $4,000, and that is according to just a partial survey of the schools inside the beltway.

A related complaint we hear is the scholarships will not do much good because private and religious schools can and do discriminate. Certainly not discrimination based on race. This charge ignores what is happening today at private and parochial schools here and in other urban areas around this country. Studies show that Catholic schools, as an example, in New York and Chicago and in my own capital city of Hartford, are serving overwhelmingly minority populations. And that is more than true here in the District. This chart, I

think, is a startling one. The student population of the District's 16 center-city Catholic schools is 93 percent African American. Center-city Catholic, 93 percent African-American, actually 5 percent higher than the 88 percent African-American enrollment in the public schools of the District of Columbia. Catholic schools are hardly an exception. For example, Senator COATS and I have been to visit the Nannie Helen Burroughs School, an elementary school run by the National Baptist Convention here in Washington. It is in an area in the northeast section. It has 100-percent African-American school population. We talked to the principal. She said literally they have an open-door policy. She said to Senator COATS and me, ''We will accept anyone who comes to the door—anyone who comes to the door.'' So much for the charge of discrimination.

Members of the Senate should also know that this amendment contains explicit civil rights protections that would prohibit schools participating in this program from discrimination based on race, color, gender, national origin, and it references the District of Columbia Human Rights Act, which actually has a broader series of anti-discrimination protections.

Myth No. 3: The voters of the District have already rejected choice. That is what the critics say. They will continue to cite the results of a referendum held—when?—17 years ago on a tuition tax credit plan totally different from the scholarship amendment Senators COATS, BROWNBACK, LANDRIEU, and I are proposing here.

A much more recent, May 1997, poll and a more relevant poll, found that 62 percent of low-income parents in the District, the people this program is designed to serve, thought a scholarship plan was an excellent or good idea.

Mr. President, the fascinating part of that poll—I don't have the exact number in front of me—is that the more white and higher income the group polled, the more likely they were to oppose this proposal, the more likely also that their children were in private or faith-based schools. The people that this scholarship program is aimed at helping desperately want this kind of lifeline.

Later in the debate I will cite a study done among African-Americans nationally that a joint center, distinguished think tank, in town shows remarkable rising support for school choice programs, vouchers, particularly among younger African-Americans. I wonder why, sadly, too many African American children are suffering from a lack of real opportunity in school systems like the one in the District of Columbia.

Myth No. 4: There is no evidence, the critics say, that scholarships will improve academic performance. Well, just a few days ago, a research team from Harvard released a study showing that students participating in the Cleveland choice program made significant gains in their first year. Math test scores rose an average 15 percent in 1 year for kids involved in the choice program there; reading tests 5 percent—just 1 year after leaving public schools.

That data builds on several convincing studies demonstrating that low-income students attending center-city Catholic schools have achieved far higher scores than their peer groups in the local public schools. Comparable populations in each case, two different settings, kids in the center-city Catholic schools doing much better.

A 1990 Rand Corp. comparison of schools in New York City, for instance, found that the Catholic schools graduated 95 percent of their students annually, while the comparable public schools graduated slightly more than 50 percent. These are numbers, but behind these numbers are thousands of children—thousands of children—who, when they don't finish school, are generally confined to a life without real opportunity.

Look at the difference: 95 percent of the kids in the Catholic schools graduate; slightly more than 50 percent in the comparable public schools.

The Rand Corp. report also showed that the Catholic school students outperformed their counterparts in the public schools and—again, this is in New York City—on the SAT exam by an average of 160 points.

A study released earlier this year by Derek Neal of the University of Chicago found that low-income Catholic school students were twice as likely to graduate from college as their public school counterparts. What a story. It shows what we all know; it shows it so powerfully.

The problem here is not the kids. Put the kids in an environment where they have a real chance to learn, where they are going to be taught in a way that is focused on them, and they will blossom, they will rise, they will soar, with twice as many graduating from college. Not surprising, then, that Paul Vallas, the man charged with rebuilding the decrepit Chicago Public School System, and doing a great job from all reports, is working closely with educators in the schools of the Catholic Archdiocese of Chicago to learn what has made these faith-based schools succeed where the public schools have failed. It is surprising, though, that few other urban administrators have been willing to do the same thing.

Myth No. 5, another false allegation: This amendment is part of a Republican-only agenda. It is a sad fact that most of the choice proponents in Congress are members of the Republican Party, although I am proud to say that Senator LANDRIEU and I are cosponsors of this amendment, and in the House, Congressman FLOYD FLAKE of New York and Congressman BILL LIPINSKI of Chicago have joined in cosponsoring this bill.

But you have to go beyond that. To write this effort off as a partisan effort is to ignore the growing demand for programs that give parents greater educational choice, a demand that cuts across partisan, racial, class, and ideological lines.

Take a look at who is driving the choice movement at the grassroots level around the country. Mothers like Zakiya Courtney in Milwaukee and Barbara Lewis in Indianapolis. Educators like Howard Fuller, the former Milwaukee superintendent of schools. Legislators like Glenn Lewis from Texas. Civil rights leaders like Alveda King from Atlanta, Dolores Fridge, the Minnesota Commissioner of Human Rights. All happen to be African-Americans. To the best of my knowledge, most of them are Democrats.

They are not moved by politics. What moves them is love for their children and frustration and anger that their children are being denied a chance at the American dream because they are being forced, for reasons of income, to attend chronically dysfunctional public schools.

These activists have been joined by thoughtful thinkers, independents like Bill Raspberry and Democrats like Bill Galston, former domestic policy adviser to President Clinton, who have both endorsed the program that we are proposing in this amendment today.

Consider the fact that polls routinely show that support for just the kind of program we are proposing is growing into a majority. For example, just this week, the Center for Education Reform released a survey showing that 82 percent of American adults favored giving parents greater educational choice, and 72 percent approve of using taxpayer funds to allow poor parents to choose a better school for their child—72 percent on a poll released just this week.

This is not partisan. Unfortunately, the vote in Congress too often has been divided along party lines, but that is not the reality out across America. Why? Because the American people are fair, they are realistic, they are practical. They see what is happening to too many of the children in too many of our public school systems. While we are working feverishly to repair those school systems, they think some of the kids are trapped in them, not because they are less able, but only because their parents don't have the money to take them out of those school systems that aren't working for them.

The parents and activists and local political leaders who are demanding choices are not out to destroy the public schools, as so often is alleged. Senator COATS and I, Senator BROWNBACK, Senator LANDRIEU—none of us are out to destroy the public schools. I am the proud product of a public school. I received a great education. I know the role that the public school has played in America as a blender, a meeting ground for people of all kinds who come to the public schools. But the reality is, in too many of our schools today, that is not happening.

Mr. President, I can't think of a public school education support proposal

that I haven't supported in the 8½ years I have been in the Senate of the United States. IDEA, special education funding, School to Work Act, the President's national testing initiative, charter school programs, funding, more and more funding for the public schools. What the critics fail to realize is that you can support this scholarship program and support public education. This is not an either/or equation.

In fact, Senator BROWNBACK and I, particularly as the Chair and ranking member of the Senate D.C. oversight committee, are working constantly with General Becton, now the head of the D.C. Public School System, to give him real support in meeting the overwhelming challenge he has of resuscitating the D.C. school system.

I repeat, again, the very bill on which we are aiming to attach this amendment provides $564 million, over one-half billion dollars of money from the taxpayers of the United States for the D.C. Public School System. General Becton himself concedes that the D.C. public schools—he said this before our committee—will not get better really to where he wants them to be for at least 5 or 10 years. They are going to get better along the way. He said, ''Don't expect an overnight miracle here. I am not going to reach what you want to make of the school system for another 5 or 10 years.''

What do we tell the children who are in the school system in the meantime, and what do we tell their parents? That in the name of some ideology, for some reason of history, to protect the ideal of the public school system as some of us experienced it that doesn't have any realistic relationship to what is happening every day for thousands of kids in the District of Columbia, in the name of preserving public education, that we as adults are willing to sacrifice children's futures, the kids who are there now, in a system described by the control board as in a state of emergency? We are willing to sacrifice them for the sake of a process, an idea that is not real in their lives? Go into the District school system, go into the schools and see what kids face. It is not acceptable, and that is why we are pushing so hard to establish this scholarship program.

Senator COATS and I and the other cosponsors are not suggesting that this is the cure-all for the city's educational woes, but it will give 4,000 kids from disadvantaged families, not kids who are not able, kids who have the same God-given ability as any other group of kids, it will give them the opportunity to realize that ability and a better life. It will make a statement that we are not going to tolerate the unacceptable status quo any longer.

In the long run, it will, hopefully, increase the positive pressure on the public schools to become more accountable, to raise their standards, to win back the public's confidence. Mr. President, later in the debate, if there is time, I am going to read from an affidavit filed by a member of the Milwaukee school system in a school choice case where that member testified to the positive competitive effect that the school choice program in Milwaukee had on the public schools.

For all this, Senator COATS and the other cosponsors and I are accused of leaving behind or abandoning the 76,000 children who would not have access to the scholarship program. The irony, of course, is that just the opposite is true. Too many of these children have already been abandoned by a school system that has been driven into the ground by too much incompetence, too much indifference to the best interests of the city's families, a system that is so bad that the control board report that I mentioned earlier concludes something that I had to look at two or three times to understand:

> The longer students stay in the District's Public School System, the less likely they are to succeed educationally.

I couldn't believe that. ''The longer students stay in the District's Public School System, the less likely they are to succeed educationally.'' I went back. What does that mean? It means as the grade levels go up, the District school kids fall further and further below the national average on standardized tests. To continue to do nothing, other than to call for more money, while these children suffer is unfair to these children.

That is why the onus should not be on us to defend our plan or alternative, our scholarships, but on those who oppose doing anything that does not fit inside the box of status quo public education which is failing thousands of children here in the District of Columbia.

We have to ask, what are you willing to do to change things right now? What are we willing to do to rescue these kids who must go to schools that have more metal detectors than computers? To continue to do nothing out of fear of being divisive or offending one or another group is irresponsible. And, you know, that is a major argument against this amendment, that it is divisive. Those who opposed the civil rights laws when they were first proposed also liked to complain that those being proposed were going to be divisive and thereby damaging to the country. It was an unconvincing argument then just as it is now.

Mr. President, it is a remarkable twist of fate that we stand debating this amendment, as I am sure my colleagues have seen in the news today, on the 40th anniversary of the desegregation of a Little Rock high school, Central High School. President Clinton will be down there this weekend to commemorate that historic event. Of course, that school was desegregated and other schools were saved from legal segregation.

But what is the reality today? Too many schools are still effectively segregated, but really more fundamentally to the point, too many children are being denied the equal opportunity for an education that the desegregation movement, that Brown versus Board of Education, that all the tumult that followed it was all about.

The kids in the District school system do not have a real equal opportunity to an education. And that is what our amendment is all about.

Mr. President, finally, I want to make a plea to the Members of my own party. If I may be partisan in this sense, this Democratic Party of ours in its modern expression was built on a central principle, equal opportunity, building on the bedrock insight that the Declaration of Independence and the Constitution have, that everybody is created equal, and that these are inalienable rights that we have, incidentally not given to us by the founders of the country or by Congress or any other group but given to us by our Creator.

The Democratic Party in the modern history of this country has focused on making this ideal of equal opportunity real. At our best we have been the party of upward mobility, we have been the party that welcomed people to this country, immigrants to this country. We have stood for giving everybody a fair chance to go up. Getting a decent education was at the heart of that.

That ultimately is what is at the heart of this debate—basic fairness, equal opportunity. The reality is that we already have de facto educational choice in this country. It is just limited to those who can pay for it. The question we now face is, whether we make that kind of choice available to the children who really need it most or whether we continue to deny them the opportunity out of some fear of upsetting the status quo or some interest groups who support the status quo.

I urge my Democratic colleagues to think about why they became Democrats, what the party is all about, and how, when we think about that, how they can oppose scholarships for 4,000 poor children. Nothing mandatory. Parents have the right to apply for this. Where have we come when we end up in that position that we are denying a lifeline to 4,000 poor children in the District of Columbia?

I urge my colleagues to take a look at the final chart I am going to show, which is this one. Ward 3 in the District, the upper northwest part of the District; 65 percent of the families send their children to private schools. So 65 percent of the families send their children to private schools; the poverty rate is 6 percent. Well, look. That is the most, of course, of any ward in the city.

Look at Ward 1, a poverty rate of 17 percent; only 11 percent can send their kids to private school. Ward 7, the poverty rate is 18 percent; only 7 percent can send their kids to private school. It is clear what is going on here. And 65 percent of the families from Ward 3 sending their kids to private school is

six times the national average. Probably some Members of this Senate are in that statistic in Ward 3.

We have to ask ourselves, is it fair, given the factual indictment of the status quo of the D.C. public schools—which, as I said, over and over again today, we are spending a half a billion dollars and working with General Becton in all sorts of ways to fix it—is it fair for us to force the disenfranchised, not by reason of law, not by reason of the God-given potential of each and every one of their children, are we going to force them to go to schools that we ourselves, and in fact that statistics show that most D.C. public schoolteachers, will not risk sending their own children to?

I say to my colleagues, as you wrestle with that question, I want to leave you with the wisdom of a Nigerian proverb that I saw on the wall of a D.C. school that I visited recently. It said, ''To not know is bad; to not want to know is worse.'' We can no longer profess not to know about what is happening to thousands of children in the D.C. public school system today who the superintendent of the school system says are in a school system that will not be what we want it to be for 5 or 10 years.

We cannot profess any longer not to know this reality. Therefore, for us not to act now, frankly, is not to want to know. And the terror of that is that for that willful ignorance, it is these children who are going to pay the price. So I have spoken strongly here today because I feel strongly about this.

Mr. President, this is about kids, this is about their future, this is about the reality of the American dream for those who have the hardest time of reaching for it. This is a small program—$7 million—to try it out.

Hey, can anybody say that things are so good in the District of Columbia Public School System that it is not worth experimenting with an alternative for a couple of years? No. I hope my colleagues will think about this and will face the reality and will give this scholarship program a chance, which is to say, that they will give 4,000 children in the District of Columbia a chance that they will otherwise not have.

I thank the Chair and yield the floor.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER (Mr. INHOFE). The Senator from Indiana.

Mr. COATS. I have three unanimous-consent requests the leader has requested. And I know the Senator from Minnesota has been very patient. And if I could just get these in I would appreciate it.

UNANIMOUS-CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 2266

Mr. COATS. Mr. President, I ask unanimous consent that at 4:30 p.m. today, the Chair lay before the Senate the conference report to accompany H.R. 2266, the Defense appropriations bill. I further ask unanimous consent that the conference report be considered read and there be 60 minutes of debate on the report, divided as follows: Senator STEVENS for 10 minutes, Senator INOUYE for 10 minutes, Senator MCCAIN for 10 minutes, Senator ROBERTS for 10 minutes, Senator COATS for 15 minutes, and Senator REED for 5 minutes. I also ask unanimous consent that following that debate, the Senate proceed to a vote on the adoption of the conference report with no intervening action or debate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE NOMINATION

Mr. COATS. Mr. President, as in executive session, I ask unanimous consent that immediately following the vote on the DOD appropriations conference report, the Senate go into Executive Session and proceed to a vote on the confirmation of Executive Calendar No. 165, the nomination of Katherine Hayden, to be U.S. District judge for the district of New Jersey. I further ask unanimous consent that immediately following that vote, the motion to reconsider be laid upon the table, any statements relating to the nomination appear at that point in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

MODIFICATION TO AMENDMENT NO. 1249

Mr. COATS. Mr. President, there has been either a printing error or technical omission in the current pending amendment—the line 22 on page 34 was omitted, as well as line 23. It simply is a section reference describing the language that follows in the section, plus the line ''Notwithstanding any other provision of law.'' Everything else is as submitted. And it is a technical change to offset a printing error.

I ask unanimous consent that the amendment be modified to reflect this change.

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

The modification is as follows:

On page 34, strike lines 7 through 16, and insert in lieu:

SEC. 13. EFFECTIVE DATE.

This title shall be effective for the period beginning on the day after the date of enactment of this Act and ending on September 30, 2002.

SEC. 14. OFFSET.

Notwithstanding any other provision of law—

(1) the total amount of funds made available under this Act under the heading ''FEDERAL CONTRIBUTION TO THE OPERATIONS OF THE NATION'S CAPITAL'' to repay the accumulated general fund deficit shall be $23,000,000; and

(2) $7,000,000 of the funds made available under this Act under the heading ''FEDERAL CONTRIBUTION TO THE OPERATIONS OF THE NATION'S CAPITAL'' shall be used to carry out the District of Columbia Student Opportunity Scholarship Act of 1997''.

Mr. COATS. Mr. President, I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, the last item, which has already been approved, apparently has not been checked by staff. What was the last unanimous consent, if you would not mind? You already have gotten it approved, but out of courtesy. Apparently, the Democrats have not had a chance to look at it.

Mr. COATS. I thought it was cleared. It is a printing error, a descriptive—I tell you what. We will talk to them about it. If there is any problem, we will reset that.

Mr. WELLSTONE. That will be fine.

Mr. President, I first of all want to start out with some praise for my colleague, Senator COATS, from Indiana and for that matter, Senator LIEBERMAN. I think they speak with a great deal of conviction and eloquence on this matter. I think both of them are very committed to the idea of equal opportunity for every child in America. There is no question about that in my mind.

Mr. President, I too think that there has to be a way that we reinvigorate or renew our national vow of equal opportunity for every child. And I think that education is key to that.

But, Mr. President, let me just say at the beginning that there are a whole lot of things that we can and should be doing that we are not doing if we are serious about it. And that is sort of the context that I look at this proposal for the District of Columbia, which I will get to in a few minutes. But let me start out, if you will, with a kind of nationwide focus.

First of all, Mr. President, I have been traveling the country and I have been spending time in communities where people are struggling economically. I spent time with quite a few poor people around our country.

I am struck by the fact—and I have said this on the floor of the Senate before—that in all too many cases you walk into schools and the ceilings are caving in and the toilets do not work, the buildings are dilapidated, the lab facilities are not up to par, there are not enough textbooks. And with all due respect, quite frankly, until we make the investment in this area, just in infrastructure so schools are inviting places for children, we are not doing that much for kids. A voucher plan, be it a demonstration project in the District of Columbia for $7 million or anything else is just a great leap sideways or backward.