Congress should ensure that all Americans get a fair wage for an honest day's work. Too often, parents work double shifts or more than one job for low wages in order to make ends meet and to provide the basic necessities for their families. We must at last increase the Federal minimum wage. We must work to close the wage gap between women and men.

Congress should also take action to ensure fairness and justice in the administration of the death penalty. We know that the administration of the death penalty at the Federal and State levels is flawed. With over 100 innocent people on death row later exonerated in the modern death penalty era, any reasonable person can see that the current system risks executing the innocent. That is why Congress should pass the National Death Penalty Moratorium Act. Congress and the President should support a moratorium on executions while a national, blue ribbon commission reviews the fairness of the administration of the death penalty.

Congress can also do more to protect hardworking Americans from discrimination in the workplace. We should pass the Employment Non-Discrimination Act. I have been pleased to join my colleague Senator KENNEDY in sponsoring this important bill that will ensure that Americans are not discriminated against by employers based on their sexual orientation. It is time that we take this step on behalf of equal opportunity and equal rights.

Congress should also take another step to ensure that all Americans have the right to vote and to be represented in their Congress. We meet today in a jurisdiction where over a half a million people are denied the right to fully participate in their Government. The majority of the people in this jurisdiction, the District of Columbia, are African American. Shutting them out of our Government is a continuing moral stain on our nation that must be addressed. We should take action on legislation sponsored by Senator LIEBERMAN and myself, under DC Delegate Eleanor Holmes Norton's leadership, to grant full congressional representation for the District of Columbia.

Congress and the administration must take concrete steps to protect Americans' civil rights.

As Dr. King said, ''This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy.''

Mr. President, let us make real the promises of democracy and of Brown—a nation with liberty, justice, and equality for all. Let's begin that work in this Congress, in this body, and let's begin now.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that I be allowed to speak for up to 20 minutes.

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

Mr. ALEXANDER. Thank you, Mr. President.

PELL GRANTS FOR KIDS

Mr. ALEXANDER. Mr. President, a half century after Brown v. Board of Education, education on equal terms still eludes too many African-American schoolchildren. Secretary of Education Rod Paige has called America's persistent racial achievement gap ''the civil rights issue of our time.''

By the 12th grade, only one in six Black students and one in five Hispanic students are reading at their grade level. Math scores are equally as disturbing. Only 3 percent of Blacks and 4 percent of Hispanics test at proficient levels by their senior year. By another standard, about 60 percent of African-American children read at or below basic level at the end of the fourth grade while 75 percent of White students read at basic or above at the end of the fourth grade.

There is still a huge achievement gap among African-American children and White children. The No Child Left Behind Act's system of standards and accountability is creating a foundation for closing the gap. But funding disparities between rich and poor—too often minority children attend poorer schools—school districts remain a stubborn contributor to inequality. Between 1996 and 2000, poor students fell further behind their wealthier peers in seven out of nine key indicators, including reading, math, and science.

These outcomes cry out for a different model, one that helps address funding and equality without raising property taxes; that introduces entrepreneurship and choice into a system of monopolies; and that offers school districts more Federal dollars to implement the requirements of No Child Left Behind with fewer strings—in other words, more Federal dollars, fewer Federal strings, and more parental say over how the Federal dollars are spent.

Does this sound too good to be true? I would suggest it is not. Look no further than our Nation's best-in-the-world higher educational system. There we find the Pell Grant Program, which has diversified and strengthened America's colleges and universities by applying the principles of autonomy and competition. This year, $13 billion in Pell grants and work study and $42 billion in student loans will follow America's students to the colleges of their choice. This is in sharp contrast to the local monopolies we have created in kindergarten through the 12th grade education, where dollars flow directly to schools with little or no say from parents.

That is why I have proposed Pell Grants for Kids, an annual $500 scholarship that would follow every middle- and low-income child to the school or other accredited academic program of his or her parent's choosing. These are new Federal dollars, so no district would see a cut in its share of Washington's $35 billion annual appropriations for K through 12, and increases in funding for students with disabilities would continue. Armed with new purchasing power, parents could directly support their school's priorities, or they could pay for tutoring, for lessons and other services on the private market. Parents in affluent school districts do this all the time. Pell Grants for Kids would give less wealthy families the same opportunities—an example of such a family are the Holidays in Nashville, TN.

Raymon Holiday is a sixth grader who recently won the American Lung Association of Tennessee's clean air poster contest. I was there when he won the 10-speed bicycle you get for winning this poster competition. I met his father, an art major, and his grandfather, a retired art teacher. They told me his great-grandfather was a musician. So you can see where Raymon Holiday gets his instincts. His grandfather, the retired art teacher, lamented to me that art classes are usually the first to go when school budgets are cut. With Pell Grants for Kids, a typical middle school of 600 students where Raymon might be 1 of 500 middle- or low-income students who qualify to receive a $500 Pell Grant. His middle school would see a $250,000 increase in funding. Raymon would be assured of art lessons.

The Pell grant model also encourages great American entrepreneurship. Enterprising principals, like Raymon's principal, might design programs to attract parental investment: advanced math classes, writing workshops, after-school programs, English lessons—whatever is lacking due to funding constraints.

Surveys continue to show that while Americans are concerned with the state of public education, most support their own child's public school.

Herman Smith, superintendent of schools in Bryan, TX, would welcome the $6 million that would accompany 13,500 eligible Bryan students—90 percent of his district. Bryan is right next door to College Station, home of Texas A&M where, according to Smith, their budget cuts are larger than Bryan dreams of spending for new programs and personnel. Property values there are double those in Bryan, as is the per-pupil expenditure. Not surprisingly, Bryan's population is almost half African American or Latino, while College Station is three-quarters white.

With 30 million American schoolchildren eligible for Pell Grants for Kids, my fellow fiscal conservatives are probably raising an eyebrow. But please listen. Every year, Congress appropriates increases in funding for kindergarten through the 12th grade. What I am offering here is a plan to earmark most of these new dollars—aside from increases for spending for children with disabilities—for parents to spend on educational programs of their choice. Otherwise, we will continue to invest in the same bureaucracies that have disappointed poor and minority families for too long.

Pell Grants for Kids could be implemented gradually, starting with kindergarten and first grade at an initial

cost of $2.5 billion. If the program had been in place during President Bush's first 2 years in office, the extra $4.5 billion spent on K-through-12 education—again, not counting another $3 billion for children with disabilities—would have created $500 scholarships for all 9 million middle- and low-income students through the third grade.

We have had 50 years to deliver an American education on equal terms to all students. But a baffling commitment to the status quo has prevented us from living up to Brown's noble legacy. This anniversary presents the perfect opportunity to inaugurate a new era, one that uses the strategy that helped to create the best colleges to help create the best schools. Let us start with Pell Grants for Kids and move on from there ''with all deliberate speed.''

I would like to make two or three additional remarks about Pell Grants for Kids.

As I mentioned, the idea is a pretty simple one—significantly new Federal dollars, fewer Federal strings, and more say by parents about how the money is spent.

To give you an idea of how much money that would be, I have taken a quick look in my home State of Tennessee. Tennessee has 938,000 students in kindergarten through the 12th grade. Pell Grants for Kids would be eligible to all those students who are from families below the state median income. The state median income for a family of four in Tennessee is about $56,000. So for families who have an income of $56,000 or below, each of their children would have a $500 scholarship that would follow that child to the school or other approved academic program of their parents' choice. We estimate about 60 percent of all of Tennessee students would be eligible for a $500 Pell grant. In some of the rural counties where there are a great many poor children, it might be 90 percent of the students. In other counties—Davidson, Maryville, Oak Ridge—it might be a smaller percentage.

But all in all, there should be about 562,000 students in Tennessee who would be eligible. This would bring an additional $281 million to Tennessee for K–12 education, and parents would have a say over how that money is spent.

Often when this issue comes up and we talk about spending more Federal dollars for local schools, the Senators on my side of the aisle get a little hot under the collar. We do not want to spend any more Federal money for local schools. On the other hand, when we say let's give the parents more say on how the money is spent, the collars get a little hot on the other side of the aisle because they are reluctant to give parents more choice.

This is a conflict of principles. It is the principle of equal opportunity—giving parents more choices. But there is another valid principle on the other side. It is called E pluris unum. We have public schools, common schools, to teach our common culture, and we do not want to harm them. It is a proper debate in this body to say let's ask questions if we are giving parents more say, more choices. Will that harm our common schools? And there is a proper way to ask in this Senate: Can we wisely spend that much more money? This is quite a bit more money. Fully funded Pell grants for kids programs would cost 15 billion in new Federal dollars a year. It would add about $500 to the $600 we now spend on each of the children in America today from the Federal Government. Only about 7 or 8 percent of the dollars we spend on children comes from the Federal Government. So it would be about a 70-percent increase in Federal funding for every middle- or low-income child fully funded.

We are proposing to do this over a long period of time. Basically, to add to the new money that we would appropriate every year for K–12, and give most of that to Pell grants for kids. This would create more equality in funding for poor districts. It would especially help African-American and minority kids. It would provide extra dollars to implement the standards of No Child Left Behind, and it would introduce for the first time into our K–12 system the principle that has created the best colleges in the world, the idea of letting money follow students to the institution of their choice.

Over the next several weeks, I will be discussing this with individual Senators. I have not prepared a piece of legislation yet because I don't want to stand up and say: Here it is, take it or leave it. Let's say one team says no choice and one team says no money, then we are back where we were. I am looking for ways to advance the debate. I don't believe we are going to be spending much more money through the Federal Government in the same way we are doing it today. A lot of Senators, and I am one of them, do not want to spend more Federal dollars through programs that have lots of Federal controls. We have seen the limit of command and control from Washington, DC, with No Child Left Behind. That program will work. But I don't believe we can expect to give many more orders from Washington to make schools in Schenectady, Nashville, and Anniston, AL, and Sacramento, better. That has to happen in local communities.

The right strategy is significantly new Federal dollars with fewer Federal strings and more parental say about how those dollars are spent. This does not have to be a Republican versus Democrat idea. I am not the author of this idea.

In 1947, the GI bill for veterans was enacted. Since that time, Federal dollars have followed students to the colleges of their choice. Today, 60 percent of America's college students have a Federal grant or loan that follows them to the college of their choice.

When I was president of the University of Tennessee, it never occurred to me to say to the Congress: I hope you do not appropriate any money for children to go to Howard University or Notre Dame or Brigham Young or Vanderbilt or Morehouse or the University of Alabama. We give people choices. Or put it another way, in my neck of the woods we told everyone where they had to go to college. We said, Senator SESSIONS, you have to go to the University of Tennessee. We said to young LAMAR ALEXANDER: You have to go to University of Alabama. Civil wars have been fought over such things.

That is exactly what we do in K–12. We give people choice and have created the best colleges in the world. We give them no choices and we have schools that we wish were better. So the idea would be to try what worked for colleges here in K–12.

I said I was not the only one to think of this. There was the GI bill for veterans—that was bipartisan—after World War II, maybe the best piece of social legislation we ever passed in the history of our country.

In 1968, Ted Sizer, perhaps the most renowned educator in America today, proposed a poor children's bill of rights, $5,000 for every poor child to go to any school of their choice, an LBJ power-of-the-people, liberal, Democratic idea at the time. In 1970, President Nixon proposed, basically, giving grants to poor children to choose among all schools. The man who wrote that speech for President Nixon was a man named Pat Moynihan. He was a U.S. Senator. In 1979, he and Senator Ribicoff, two Democrats, introduced essentially exactly the idea I am proposing today. In fact, in 1979 Senator Ribicoff and Senator Moynihan proposed amending the Federal Pell Grant Act and simply applying it to elementary and secondary students.

At that time, when the Pell grant was $200 to $1,800, a third grader could get a Pell grant, or if you were a high school student and you were poor, you could get a Pell grant.

Senator Moynihan said to this body in 1979:

> Precisely the same reason ought to apply to elementary and secondary schooling—if, that is, we are serious about education and pluralism and providing educational choice to low- and middle-income families similar to those routinely available to upper income families.
>
> This was the impulse behind the basic educational opportunity grants program as enacted by Congress in 1972.

He was talking about Pell grants.

> It was the impulse by the Presidential message to Congress which I drafted in 1970 which proposed such a program. It is the impulse to provide equality of educational opportunity to every American, and it is as legitimate and important an impulse at the primary and secondary school level as it is at the college level.

I am going to strongly urge my colleagues not to make a reflexive reaction to this idea because, on the one hand, it has too much money, or on the other hand, it has some choice. Think back over our history and think of our

future and realize we have the best colleges and we do not have the best schools. Why don't we use the formula that created the best colleges to help create the best schools?

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks Senator Moynihan's statement in the Senate in 1980, and following Senator Moynihan's remarks, an article which I wrote for the publication Education Next, which is being published this week, entitled ''Putting Parents in Charge.''

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

(See exhibit No. 1.)

Mr. ALEXANDER. This article goes into some detail about the Pell grants for kids proposal.

I look forward over the next several weeks to working with my colleagues, accepting their ideas and suggestions about how we improve our schools.

In June sometime I hope to introduce a piece of legislation, hopefully with a bipartisan group of Senators. In July, Senator GREGG and I have already discussed a hearing which we will have in the Health, Education, Labor, and Pensions Committee. And then perhaps next year, the President of the United States might want to make this a part of his budget.

I believe it is time in this country to recognize we need to give poor and middle-income parents more of the same choices of educational opportunities wealthier families have, that we may be able to do this without harming our public schools. We have had, since World War II, scholarships that have followed students to the educational institutions of their choice, and they have done nothing but help to create opportunity and create the best system of colleges and universities in the world. I think we ought to use the same idea to try to create the best schools in the world.

EXHIBIT 1

Mr. MOYNIHAN. Mr. President, I am today introducing a bill to make basic educational opportunity grants available to needy elementary and secondary school students. This complements the tuition tax credit bill that we recently introduced and in no way substitutes for it. Just as I believe that both need-based grant aid and tuition tax credits should be available to assist with the costs of college education, so also should the two alternatives be available for needy students with tuition costs at the elementary and secondary level.

As amended by the Middle Income Student Assistance Act of 1978, the basic grants program covers students from families with income up to $25,000; the grants range from $200, for students near the upper end of that scale, to $1,800 for students from very low-income families. Many students are not eligible for grant aid, and for them we have proposed tax credits. Some students would be eligible for grant aid, and they will presumably choose the one that suits them best. This will not necessarily be the form that produces the most assistance; for some, the simplicity of the tax credit may make it more attractive than the complex forms required to apply for a basic grant, particularly where the respective amounts of aid are not much different. Others, particularly the neediest, will plainly fare better under the grant program. But there is no redundancy or overlap between the two forms of aid: The tax credit would be available only for tuition which the student or his family actually pays; insofar as a basic grant (or other aid) covers tuition expenses, those expenses would not be eligible for a tax credit.

Precisely the same reasoning ought apply to elementary and secondary schooling—if, that is, we are serious about educational pluralism and about providing educational choices to low- and middle-income families that are similar to those routinely available to upper income families.

This was the impulse behind the basic educational opportunity grants program as enacted by Congress in 1972. It was the impulse behind the Presidential message to Congress that I drafted in 1970 which proposed such a program. It is the impulse to provide equality of educational opportunity to every American, and it is as legitimate and important an impulse at the primary and secondary school level as it is at the college level.

The basic grants program, and the other major student aid programs authorized under title IV of the Higher Education Act, will expire during the 96th Congress, and one of our important responsibilities in the next 18 months is to reform and extend them. I shall have more to say on that subject on other occasions. But it is none too early to introduce the idea that one reform that must be seriously considered is the inclusion of needy elementary and secondary school students.

It will doubtless be argued by some that this legislation is unconstitutional, inasmuch as many students with tuition costs at the elementary and secondary level are enrolled in church-related schools. I see no distinction of constitutional significance between the aid we already provide to students in church-related colleges and that which I propose to provide at the primary and secondary level, but I do not assert that the Supreme Court will necessarily agree with me. As with tuition tax credits, however, this question can only be resolved by the Supreme Court, and that can only happen if the authorizing legislation is passed by the Congress.

[From Education Next, Summer, 2004]

PUTTING PARENTS IN CHARGE

(By Lamar Alexander)

In 1990, as the new president of the University of Tennessee, I was trying to understand what had made American colleges and universities the best in the world. I asked David Gardner, then the president of the University of California, why his university has such a tradition of excellence. ''First, '' he said, ''autonomy.'' The California constitution created four branches of government, with the university being the fourth. The legislature basically turns over money to us without many rules about how to spend it.

''The second is excellence. We were fortunate, at our beginning, to have a corps of faculty dedicated to high standards. That tradition has continued. And third, generous amounts of federal—and state—money have followed students to the schools of their choice. That has increased opportunity for those who couldn't afford college, created choices that made good fits between the student and the school, and stimulated competition that encouraged excellent programs.''

Autonomy. High standards. Government dollars following students to the schools of their choice. That was the formula for the GI Bill, passed by Congress in 1944. The program gave World War II veterans scholarships redeemable at any accredited institution, public or private. Those veterans who didn't hold a diploma could even use the scholarships at Catholic high schools. With these scholarships came few federal rules, thus preserving the universities' autonomy. And by allowing students to choose their college, the GI Bill encouraged excellence and discouraged weak programs.

Not all university leaders welcomed the program. ''It will crate a hobo's jungle,'' warned legendary University of Chicago president Robert Hutchins. Instead, the GI Bill became the most successful piece of social legislation Congress ever enacted. It became the model for the federal grants and loans that today follow 58 percent of America's college students to the schools of their choice. In 1972, when Congress debated whether future federal funding for higher education should go directly to institutions or be channeled through students, the model of the GI Bill helped carry the day for the latter approach, which was surely the right one. Pell Grants (named for Sen. Claiborne Pell, D–R.I.), Stafford Loans, and other forms of financial assistance to students followed. This year the federal government will spend nearly $17 billion on grants and work-study programs and will provide an additional $52 billion in student loans.

Rarely has the federal taxpayer gotten so much bang for the buck. These federal vouchers trained the ''greatest generation'' and made it possible for a greater percentage of Americans to continue into higher education than in any other country. At the time of the GI Bill's passage in 1944, only about 6 percent of Americans held a four-year college degree. Today that figure stands at 26 percent.

Moreover, these scholarships have strengthened public institutions. At the end of World War II, 50 percent of American college students were attending public institutions. Today 76 percent choose to attend public colleges and universities. So many foreign students want to attend American university that some institutions impose caps in order to make room for lower-achieving homegrown students. British prime minister Tony Blair is overhauling his nation's system of higher education because he sees a growing gap between the quality of American and British universities. Likewise, former Brazilian president Fernando Henrique Cardoso recently told a small group of U.S. senators that the most important thing he would remember about his residency at the Library of Congress is ''the uniqueness, strength, and autonomy of the American university.''

Meanwhile, federal support for elementary and secondary education has taken just the opposite approach—with opposite results. Instead of allowing tax dollars to follow students to the schools of their parents' choice, the federal government gives $35 billion directly to the schools themselves (or to the states, which then give it to schools). In addition, thousands of pages of federal and state regulations govern how these funds are spent, thereby diminishing each school's autonomy. Measured by student learning, rarely has the taxpayer gotten so little bang for so many bucks. In 1999, 8th-grade students in this country were ranked 19th in math and 18th in science compared with 38 other industrialized nations. The National Assessment of Educational Progress, known as the nation's report card, shows other alarming trends. For example, between 1996 and 2000, the gap between affluent and poorer U.S. students actually widened in seven out of nine key indicators—like reading, math, and science. Two out of every three African-American and Hispanic 4th graders could barely read. Seventy percent of children in

high-poverty schools scored below even the most basic level of reading.

ENHANCING LOCAL CONTROL

It is time to try a different funding approach, and Pell Grants, the college scholarships offered to low-income students, provide a useful model. Congress should enact ''Pell Grants for Kids,'' which would provide a $500 scholarship to each middle- and low-income child in America. Children could use these scholarships at any public or private school or for any educational program, such as private tutoring. Homeschooled children would also be eligible for the scholarship, as long as the money was spent on an accredited educational program. Overall, the grant would be available to about 60 percent of America's 50 million primary and secondary school students, those whose families earn $53,000 or less. It would put the parents of approximately 30 million children directly into the education marketplace, each of them armed with a $500 grant, thereby encouraging choice and competition.

This idea has a distinguished lineage. In the late 1960s, Theodore Sizer, then at the Harvard Graduate School of Education, proposed a ''Poor Children's Bill of Rights'' that would have supplied scholarships of $5,000 per child to the poorest half of children in the United States, for use at any accredited school, public or private. In 1992, while I was serving as secretary of education under President George H.W. Bush, the president asked Congress to appropriate a half billion dollars to create a pilot ''GI Bill for Kids.'' The program would have awarded $1,000 scholarships to 500,000 children in states and cities that wanted to try the idea, but the Democrat-controlled Congress refused to enact it.

The most important point to make here is that most of this new scholarship money is likely to be used at the public schools that nine out of ten students now attend. I believe parents are likely either to give the money to their school to meet its general needs or to seek the school's advice on how best to spend the money to help their child. Surveys show that while many Americans are discouraged about the state of education generally, most parents support their own child's public school. Parents in affluent school districts regularly augment their schools' budgets with contributions for extra programs, particularly in the arts. Pell Grants for Kids would give children of low- and middle-income parents the same opportunity.

Pell Grants for Kids would provide more federal dollars for schools while also encouraging more local control—I mean more control by parents and teachers—over how that money is spent. Once parents make the decision about where the $500 will be spent, the principal and teachers in that school or program decide how it will be spent. For example, in a public middle school with 600 students, if two-thirds of the children are eligible for the grant, that's $200,000 in new federal dollars each year following those children to that school. This would be manna from heaven for schools, many of which engage in time-consuming charity sales to net $500 or $1,000 for needed programs and projects. Enterprising principals surely would design programs to attract parents' investment—perhaps an after-school program, an extra math teacher, or an intensive language course. And if they didn't, parents would have the option to spend the money on another accredited educational program that suited their child's needs, such as tutoring.

Aside from stimulating competition, these new federal funds would help to narrow the gaps in spending between wealthy and poor districts and make more real the promise that no child will be left behind. For example, in Bryan, Texas, property values average about $128,000 per student. Next door is College Station, home of Texas A&M University, where property values are $305,000 per student. As a result, College Station is able to collect far more in property taxes and its schools thus spend twice as much per student as those in Bryan. Last year Herman Smith, superintendent of schools in Bryan, told me, ''College Station is talking about cuts in programs and personnel that we could only dream of.''

About 90 percent of Bryan's 13,500 students would be eligible for the $500 Pell Grants for Kids, putting more than $6 million in new federal dollars into the hands of Bryan parents. They could then provide more funds to Bryan's public schools, as is likely, or use the scholarship to help pay for enrichment programs or private school tuition. Bryan would still have fewer dollars to spend than College Station, but the gap would narrow.

OVERCOMING OBJECTIONS

Let's consider some questions and criticisms that might accompany the Pell Grant for Kids proposal:

In a time of tight budgets, can the nation afford to offer $500 scholarships to 30 million schoolchildren? If it were enacted today, Pell Grants for Kids would cost $15 billion a year. A number of measures could be taken to ease the burden. First, implement the program gradually, providing $500 scholarships only to kindergarten and 1st graders in the initial year. This would cost just $2 billion. Second, over the next several years, devote most of the new appropriations for K–12 education (not related to children with disabilities) to Pell Grants for Kids. Done this way, it would not take many years to fully fund the scholarships while staying within a reasonable budget. For instance, if Congress had allocated two-thirds of all new federal spending (non-disability related) on K–12 education since 1992 to this program, $10 billion would have been available for scholarships this year—enough to provide full $500 scholarships to all middle- and low-income children in kindergarten through the 8th grade.

Or consider this: In just the first two years of the current administration, Congress appropriated $4.5 billion in new dollars for K–12 education (not counting another $3 billion more for children with disabilities). That $4.5 billion would have been enough to fully fund $500 scholarships for all nine million low- and middle-income children in kindergarten through 3rd grade.

Aren't K–12 schools and colleges so different that the Pell Grant analogy is invalid? It is true that schools and colleges sometimes emphasize different public purposes. For example, schools are asked to teach children what it means to be an American, to inculcate moral values, and to make up for poor parenting. Universities have research and public service missions that schools don't share. But the core mission of both schools and colleges is the same: teaching and learning. Most high schools teach some college courses. Most community colleges teach some high-school students. That is why it is so odd that the way the federal government funds K–12 education is so different from the way it funds colleges.

Aren't you overlooking some real problems that colleges have? No doubt universities have significant problems. Some college students don't pay back their loans. Some for-profit institutions are shams. Some courses are weird. Some tenured faculty members are worthless. In the context of rising tuition costs, there is too little interest in creating a less leisurely university calendar, in proposals such as requiring professors to work over the summer. Such abuses are the price of institutional autonomy and choice. Overall, however, American colleges and universities are by far the best in the world—and therefore useful models for how to improve our other educational institutions.

Can we trust middle- and low-income parents to spend $500 wisely on their child's education? I would remind those who make this condescending argument that Congress currently appropriates $8 billion each year to provide childcare vouchers to 2.3 million low-income parents. These parents may use the voucher at any licensed center, public, private, or religious. Likewise, 9.5 million low-income students may spend their federal student aid dollars at any accredited college. If Congress trusts low-income citizens to choose childcare and higher education providers for themselves, why not trust them to spend $500 on K–12 education programming for their children? In addition, because of our experience using established accrediting agencies to monitor Pell Grants for colleges, it should be relatively easy to create a similar system to make sure that Pell Grants for Kids are not spent on fly-by-night operations.

Will more federal funding mean more federal control over education? Pell Grants for Kids would actually reduce federal control over education. The current funding process dictates how federal dollars are to be spent and imposes heavy regulations on local schools. Letting federal dollars follow children to the school of their parents' choice would put control back into the hands of parents and teachers.

Would Pell Grants for Kids violate the principle of separation of church and state? Federal grants have followed students to parochial colleges since World War II and to parochial daycare centers since 1990.

Will giving individual schools so much autonomy leave some mired in mediocrity? Autonomy need not mean a lack of accountability. The No Child Left Behind Act requires states to establish tough academic standards and to measure students' and schools' performance on an annual basis. With these accountability systems in place, the argument for choice is that much stronger. Parents will have the knowledge of school performance to make informed choices about where to spend their new federal dollars. For this reason, students who decide to use their $500 scholarships at private schools would still be required to participate in their state's testing program.

Why not let all Title I money follow children to the schools of their choice? For now, I believe a gradual approach is warranted. The nation should begin by letting parents control how most, not all, of newly appropriated federal dollars for K–12 education are spent. Let's monitor parents' spending patterns and school performance for a while and then evaluate whether to expand the program.

But private school tuition costs far more than $500. Correct. So those who worry that vouchers will hurt public schools should relax. But six hundred parents armed with $500 each can exercise $300,000 in consumer power at a public middle school. Five hundred dollars can also help pay for language lessons or remedial help. At Puente Learning Center in South Los Angeles, Sister Jennie Lechtenberg teaches students of all ages English and clerical skills at an average cost to the center of $500 per year.

TOWARD BETTER SCHOOLS

Of course by themselves Pell Grants for Kids would not create the best schools in the world. As David Gardner said, it took autonomy and high standards in addition to generous funding following students to schools of their choice to help create the finest university system in the world. To increase schools' autonomy, Congress should provide generous support to the charter school movement, offer waivers from federal rules to successful school districts, and use its oversight power to simplify federal laws and regulations. To help schools aspire to the excellence most colleges enjoy, Congress needs to give schools more flexibility in administering the mandates of No Child Left Behind. To make it easier for schools to pay teachers more for teaching well, just as colleges do, Congress should encourage the National Board for Professional Teaching Standards and other efforts to reward outstanding teachers. These organizations, in turn, must make the measure of students' progress a key ingredient in a teacher's evaluation.

It is a mistake to expect that merely switching to the higher education model for funding is all Congress needs to do to help transform public schools. To help children arrive at school ready to learn, Congress should heed President Bush's challenge to strengthen Head Start by improving coordination, emphasizing cognitive skills, increasing accountability, and involving governors. So that state and local governments can remain financially sound enough to support good schools, Congress should keep its promise to end unfunded federal mandates. So that children can learn what it means to be an American, Congress should help states put the teaching of American history and civics back in its rightful place in school curricula.

Finally, no plan for better schools is complete without better parenting. In his research James Coleman found that, until a child is 14, parents are twice as important as school for the child's learning. Yet the United States has gone from a society that values the job of being a parent to one that has been waging a war on parents. Liberal divorce laws and the diminished importance of marriage, higher taxes, poor schools, trash on television, unsafe streets, uncontrolled illegal drugs, and inflexible work arrangements have all made it harder for parents raising children. No part of American society has paid a higher price for this than our schools. Giving every middle- and low-income child a $500 scholarship to help encourage choice within education is a start, but only a start, toward putting government and society squarely on the side of parents raising children.

Nonetheless, enacting Pell Grants for Kids should be the next central thrust of federal efforts to improve the nation's schools. For the past half century, the United States has actively supported the expansion and improvement of higher education through a generous funding system that encourages autonomy, choice, and competition. Our institutions of higher education have helped produce the research that has been responsible for creating half our new jobs since World War II. They have sculpted an educated leadership and citizenry that have made our democracy work and made it possible to defend our freedoms. It is past time to take the formula that has worked so well to help create the best colleges in the world and use it to help create the best schools for our children.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I express my appreciation to Senator ALEXANDER of Tennessee for his wise remarks. Listening to the Senator, it reminded me of that advertisement: When E.F. Hutton speaks, you should listen. When Senator ALEXANDER talks on education, we ought to listen, and, indeed, when he speaks on a lot of subjects. He has served as Secretary of Education for the United States. He has been the president of the University of Tennessee. He has also been the Governor of Tennessee who had to run their school systems. He brings tremendous wisdom and experience and insight to this issue.

It must be our goal to improve the quality of education for children in America today. We have to work on that issue. We are not where we ought to be. There is too much inequality today.

I also think about Brown v. Board of Education, as we celebrate that historic decision today, and that Senator ALEXANDER clerked for Judge John Minor Wisdom, one of the judges who is famous in the old Fifth Circuit for enforcing Brown v. Board of Education.

Brown v. Board of Education had more impact than most decisions have ever had from the Supreme Court. As a young student in school, I rode a bus every day 15 miles to school. As we went north on the road to my school, we would pass a bus with African American children heading south. So the white kids went to the school up in the northern end of town, and we would pass one another. I went further than I should have traveled to get to school, and they went further than they should have traveled to get to their school.

In addition, the schools of the African-American community were not as good, and their schoolbuses were not as good, for the most part, either. It was not an equal system.

The Supreme Court of the United States considered the issue in 1954, and they evaluated what was happening. They said the laws of the United States should treat people equally, and that it is not equal treatment to say to a person: You cannot go to this school, although you may live quite close to it, simply because of the color of your skin. We had grown up with that situation. People did not give it much thought. They accepted it as the way things were. The Supreme Court ruled differently, and people complained about it. Some even said it was activism and the Supreme Court was overreaching. But if you read the Constitution and the law, it seems to me the Supreme Court at that point was not an activist court, it was not an overreaching court; it was a court founded on law, and they went back and read the plain language of the Constitution, and they said this process of denying one person the right to attend a school simply because of the color of their skin violated our Constitution. I think that was a plain ruling, a fair ruling, and a good ruling.

I know we are about to take up the defense bill in a few minutes, but I would say this: Things have changed in many different ways. My two daughters grew up in Mobile, AL, not too far from Murphy High School. Murphy is one of the oldest, largest schools in Mobile. The Mobile County school system is a very large system. I believe they have 60,000 students. It is a great historic school. Fifty years ago, it was an all-white school. There were all-African-American schools in the community. They have, as a result of Brown, integrated the school system. My daughters went to that school, and the racial mix was almost exactly 50–50. They enjoyed their time at Murphy High School. It is an excellent high school. In fact, I remember Secretary Bill Bennett, when he was Secretary of Education, came down and gave them a blue-ribbon, topflight national school award for the excellence in education there. They loved that school. They had friends who were White, friends who were African American, friends who were Asian, and friends who were from India. They were all in that school system. They benefited from that experience and did well as a result of it.

I believe the decision was beneficial legally. I believe the decision was beneficial for the children. It made a statement, with crystal clarity, that people could not be denied the right to public activities simply because of the color of their skin.

That is an important principle in this country. We were very slow to recognize it. The South was openly segregated in so many different ways, and this decision broke it down. It took many years before the decision would be fully implemented, but it has been implemented, and much good has come from it.

President Bush has said in his philosophy of education that we must not let children fall behind. He has used the phrase ''the soft bigotry of low expectations.'' What he means is, if our children are going to a public school that is doing pretty well, and they are doing fine, and minority students are going to a school that is not doing so well, we should not have the attitude, well, we are not too concerned about that.

In fact, more dangerous than that is a philosophy that we have low expectations, and we are not going to demand the same quality in all school systems in America. That is not acceptable. Our children can learn. All children of all races can learn. We need to challenge all students to be their very best. We cannot allow children to fall behind. We need to identify children who are falling behind early.

If you love children, if you care about the poor, if you care about minority students, and you want them to succeed, you will find out how they are doing. That is why the President said we want to test. The Government plan of No Child Left Behind is not to test to punish or to put down a child; it is to find out how they are doing in school. If they are falling behind, we need to intervene promptly and quickly to lift them up so they can reach their fullest potential.

Secretary Rod Paige, our Secretary of Education today, is an experienced educator who was the dean of a school and was the superintendent of the huge school system in Houston, TX—he has said by the time children get to the ninth grade, if they are not up to speed, if they are substantially behind in reading and math and cannot compete, that is when they drop out.

So the President's legislation—what we worked on—is designed to find out much earlier if children are falling behind, to give them that intensive support and extra resources necessary to have them catch up so they will no longer be behind, so when they get to the 8th grade, the 9th grade, or the 10th grade, they will be able to function and do high school work and go on and

complete their degree and be successful in the world rather than becoming frustrated or becoming a discipline problem, and maybe even dropping out of school because they know they are so far behind they cannot keep up.

That is what we focused on when we crafted the No Child Left Behind Act. That is ultimately one of the keys to American movement in this new century; and that is, are our children reaching their highest possible level of achievement. The more children who achieve their highest and greatest potential, the greater the benefit will be for our country.

I see my time is up. We are about ready to go to the defense bill. I again express my appreciation to Senator ALEXANDER for his insights and commitment to education. There is much we can do to make our system better.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 2400, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2400) to authorize appropriations for fiscal year 2005 for military activities in the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

Mr. WARNER. Mr. President, in connection with the work on this bill, which is scheduled for this week, Senator LEVIN and I ask unanimous consent that the staff members of the committee on the Armed Services, those names appearing on the list which is attached to this request, be extended the privilege of the floor during consideration of S. 2400, the National Defense Authorization Act for fiscal year 2005.

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

The list is as follows:

Judith A. Ansley, Richard D. DeBobes, Charles W. Alsup, Michael N. Berger, June M. Borawski, Leah C. Brewer, Alison E. Brill, Jennifer D. Cave, L. David Cherington, Christine E. Cowart, Daniel J. Cox, Jr., Madelyn R. Creedon, Kenneth M. Crosswait, Marie Fabrizio Dickinson, Regina A. Dubey, and Gabriella Eisen.

Evelyn N. Farkas, Richard W. Fieldhouse, Andrew W. Florell, Brian R. Green, Creighton Greene, William C. Greenwalt, Jeremy L. Hekhuis, Bridget W. Higgins, Ambrose R. Hock, Gary J. Howard, Jennifer Key, Gregory T. Kiley, Maren R. Leed, Gerald J. Leeling, and Peter K. Levine.

Thomas L. MacKenzie, Sara R. Mareno, Michael J. McCord, Elaine A. McCusker, William G.P. Monahan, Lucian L. Niemeyer, Cindy Pearson, Paula J. Philbin, Lynn F. Rusten, Arun A. Seraphin, Joseph T. Sixeas, Scott W. Stucky, Diana G. Tabler, Richard F. Walsh, Bridget E. Ward, Nicholas W. West, and Pendred K. Wilson.

Mr. WARNER. Mr. President, it is my privilege to again address the Senate on this bill, which I commend the Committee on the Armed Services for marking up in a record period of time. I first wish to thank my distinguished colleague, these now 26 years working together, the senior Senator from Michigan, Mr. LEVIN, and his staff who worked very diligently, such that the two of us together, with the tremendous support of each and every member of the Armed Services Committee, were able to proceed through the year with our series of hearings and to do a very thorough and expeditious markup.

So we bring to the floor the National Defense Authorization Act for fiscal year 2005 for the Senate's consideration. This bill was unanimously reported out of committee on May 6. I believe it is a testament to the strong support of our men and women in uniform by the Senate if adopted.

As we begin debate on this bill today, over 300,000 soldiers, sailors, airmen, and marines, Active and Reserve, and countless civilians are serving bravely around the world, including the Persian Gulf region, Iraq, and Afghanistan, in the cause of freedom. All Americans are proud of what the U.S. Armed Forces and their coalition partners have accomplished thus far in Iraq and in the global war on terrorism. We are ever mindful that the defense of our homeland begins on the distant battlefields of the world.

As we begin this debate, we must pause to remember that military success is not achieved without significant sacrifice. We, the members of the committee—indeed, all Members of the Senate—extend our sympathies to the families and the loved ones of those who sacrificed their lives or were injured in operations to make America and the world safer. We will forever honor their service.

The military successes in Operation Enduring Freedom and Operation Iraqi Freedom are a testament to the dedication and professionalism of the U.S. Armed Forces and to the support and sacrifice of their families. It is also a tribute to American technology and ingenuity. The U.S. military is the most capable military force in the world today, a model of excellence, and the standard by which others are to be measured.

As I have said repeatedly over the past few weeks, the horrific evidence of abuse of Iraqi prisoners perpetrated by a small number—and I repeat, thus far to the comparison of the totality of our Armed Forces, a very small number of our Armed Forces—together with a number of civilian contractors, is an aberration, a total departure from the high standards and the professionalism that we have in our U.S. military. That series of incidents must never be permitted to happen again.

I am very proud of what the Committee on the Armed Services has done thus far by way of its oversight responsibilities of this tragic situation, and we will continue, in consultation with my distinguished ranking member and all the members of the committee, to pursue the facts.

These incidents are counter to every human value that every American has been taught. It is counter to what this country stands for, and it is counter to what the U.S. Armed Forces are fighting to protect. These acts of a few in some respect diminish us all. Nonetheless, we must not permit these acts to tarnish the honor of the many dedicated men and women in the Armed Forces, the 99.99 percent who are vigilantly upholding the values for which this country stands, and who are doing a great mission, wherever it is in the world, often at high personal risk.

With Senate passage of the bill before us, we have the opportunity to send a strong message of support to our men and women in uniform. The bill contains much deserved pay raises and benefits for our military personnel and their families, much needed increases in family housing, and quality-of-life projects on military installations, as well as prudent investments in the equipment and technology our military needs to address future threats. I urge my colleagues to debate this bill in a constructive spirit and to support its rapid adoption.

The President's budget for defense for fiscal year 2005 continues a momentum of recent years in providing real increases in defense spending to combat terrorism and secure the homeland, to enhance the quality of life of our military personnel and their families, and to modernize and transform the U.S. Armed Forces to meet current and future threats.

The bill before us provides $422.2 billion for the Department of Defense and the defense programs of the Department of Energy, an increase of $20.9 billion, or 3.4 percent in real terms, over the amount authorized in fiscal year 2004.

This bill reflects six priorities we established to guide our work on the National Defense Authorization Act for fiscal year 2005.

First, our committee wanted to provide our men and women in uniform with the resources, training, and technology and equipment they need.

Second, enhance stability of the Department of Defense to fulfill its homeland defense responsibilities.

Third, continue to improve the quality of life for the men and women of the Armed Forces—Active, Reserve, Guard, and Retired—and their families.

May I say at this point, having had many an association with the Armed Forces—and I use that term collectively to include the Guard and Reserve—they have performed magnificently, the Guard and Reserve, and