We want to make sure we give him ample time to be here. He is receiving some of his treatment outside Washington, DC.

I think that pretty well outlines where we are.

We are the Senate. We were last night and we are today. We will work through the legislation as quickly as we can and move on to other things. We have important work to do. We have some nominations we will try to do the first part of the week, but we can do those the latter part of the week. The House passed some bankruptcy legislation. I spoke to the Republican leader about that today. We might go to that. We have the lands bill that might be coming back to us. We have lots to do. We have 4 weeks left in this work period and a lot remaining.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

AMENDMENT PROCESS

Mr. MCCONNELL. Mr. President, let me say that the majority leader and I have spoken on a number of occasions about the importance of the amendment process to all 41 Republican Senators. In fact, all 41 Republican Senators sent the majority leader a letter some time back indicating how important we believed it was. We are proceeding correctly on this bill. I say to my friend the majority leader, we basically have compiled our list of additional amendments. My Members believed strongly that we should have an opportunity to offer those and get votes. We will be able to do that. We will be able to move forward sometime next week. The manner in which he has outlined that we will proceed Monday and Tuesday makes sense, and we will be as cooperative as possible in moving forward with our amendments and getting votes on them.

GRATITUDE TO MANAGERS OF THE OMNIBUS

Mr. REID. Mr. President, one thing I didn't mention, the manager of the bill, Senator INOUYE, is here. Senator COCHRAN has been here steadfastly during the process. They have done a terrific job. Sometimes there are events outside the scope of what the managers are doing, though, that overtake their efforts, and that is what happened here. They are both, as I have said before, two of the best we have in this institution. I personally apologize to Senator INOUYE for not being able to complete the legislation. But he has seen a lot of things in his career, much more than I have.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

OMNIBUS APPROPRIATIONS ACT, 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1105, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1105) making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

Pending:

Ensign amendment No. 615, to strike the restrictions on the District of Columbia Opportunity Scholarship Program.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

AMENDMENT NO. 615

Mr. DURBIN. Mr. President, I rise to speak in reference to an amendment which I believe will be included in the list of amendments by the Republican side. It relates to the DC voucher program. Senator JOHN ENSIGN of Nevada is offering an amendment that will be part of our consideration on Monday or Tuesday relative to the future of the DC voucher program. The DC voucher program was created 5 years ago at a time when the Republicans were in control of the White House and of Congress. What they offered to the District of Columbia was an offer they couldn't refuse, a substantial amount of money—I believe it was $14 million—for the public schools of the District, another $14 million for the public charter schools, and about $14 million to create a DC voucher program. The theory behind the DC voucher program is that they would award this Federal money to families with children in voucher schools, private schools, not public schools. They could use this money to pay for tuition to send their children to these schools.

This is the first of its kind where the Federal Government would directly provide money to parents to send children to private schools. It is an experiment. It was described as such. It was initiated 5 years ago when the Republicans were in control. It came through the Appropriations Committee. Senator Mike DeWine of Ohio was one of its strong proponents.

We considered several amendments in the committee. I came to this with mixed feelings but skepticism, mixed feelings because I am not an opponent of private education. My wife and I sent our three children to Catholic schools. That was our choice. We continued to pay our property taxes to support public schools. I have openly supported public school referenda in my community. I have done everything in my State to make sure there was adequate funding for public schools, but we made a personal family decision, based on a number of circumstances, to send our children to the local Catholic schools. That was our decision at our expense. I have no prejudice against private education. If I entrusted my children to it, I certainly believe in it.

But the question always came up in my mind: Who should pay for it. We were prepared as a family to pay for it. It was an extra sacrifice we were prepared to bear.

The argument behind DC voucher schools is that some families can't or won't bear that burden of the cost of private education. So they should have direct Federal subsidy, Federal payments to defray or defer any cost of tuition. That was the theory behind it.

My skepticism had a lot to do with the fact that I think our first obligation is to the public school system. The DC public school system is struggling. Credit the new Mayor, Mr. Fenty; he has hired Michelle Rhee, an extraordinarily talented young woman, to be chancellor of DC schools, and she is intent on improving the quality of the public schools. That is something we should invest in, something we should support.

The debate 5 years ago was interesting. I offered three amendments. The first amendment said that any building used as a school under the DC voucher program had to pass the life safety code, had to be inspected as being safe for children to go to school. I guess one could say it goes back to 50 years ago, my memory of the terrible Our Lady of Angels fire at the school in Chicago that killed so many children and nuns in the building and led to changes and stricter enforcement of the life safety code for school structures in Illinois.

My goal in the DC voucher program was to establish at least a comparable standard for the safety of buildings used for DC voucher students as buildings used as public schools. I don't think that is unreasonable. Every parent should have the peace of mind that their child is safe in that building.

I offered the amendment in the Appropriations Committee. It was defeated by those who argued we could not restrict or hamper DC voucher schools. As a consequence, they wanted to defeat my amendment. Incidentally, a GAO study, in November of 2007, on the DC voucher program showed the sites of some of the schools and specifically noted that two of the schools operated without a certificate of occupancy as private day schools—just what I feared.

These are buildings—one looks like a private residence, the other like a commercial building—that do not look like schools at all, and they did not pass the basic standards for health and life safety that we require of schools in the District of Columbia. So my amendment was defeated.

The second amendment I offered said teachers in the DC voucher schools had to have a college degree. Now, that is a basic requirement of any teacher in public schools in DC or most States in