

that there are a million million dollars in a trillion—so the Federal debt of the United States has now passed five million million dollars.

Let's look back 23 years. The day I was first sworn in as a U.S. Senator, on January 3, 1973, the Federal debt stood at less than one-tenth of today's total Federal debt. On April 18, 1973, for example, the April 15 tax deadline had just passed; the taxpayers' money was flowing into the Internal Revenue Service; and the Federal debt stood at 455 billion, 570 million, 163 thousand, 323 dollars and 85 cents. I should add that the Federal budget deficit that year was about \$15 billion—one-tenth of the present Federal deficit.

Mr. President, one of the first pieces of legislation I offered in early 1973 was a resolution to require the Senate to balance the Federal budget. I did that several times in the weeks and months to follow. I lost every time. Then I offered a resolution stipulating that the salaries of Senators and Congressmen be reduced by the same percentage that Congress failed to balance the budget. As I recall, I got seven votes for that proposition and a lot of angry expressions.

Since then, the Federal debt has exploded tenfold.

I recently reviewed a publication entitled "Historical Tables of the Fiscal Year 1995 Budget." Guess what this document revealed about one significant aspect of the Federal debt. It showed that the interest on the money borrowed and spent by the Congress of the United States, over and above income, during the fiscal years 1973 through 1993, cost the American taxpayers \$3,006,417,000,000.00.

Three trillion dollars just to pay the interest on excessive spending authorized and appropriated by the Congress of the United States over a period of a couple of decades.

Just suppose Congress had agreed back in 1973 to discipline itself and hold fast to a balanced Federal budget. We would be on Easy Street today.

But, Mr. President, it is so easy to spend somebody else's money. As a result of all this Federal deficit spending, the share of every man, woman and child in America averages out to be roughly \$19,043. Every child born today will be taxed \$187,000 during his or her lifetime to pay just the interest on the Federal debt.

Think of what has been done to our children and grandchildren. The burden of a \$5 trillion debt is a weight on the shoulders of future generations, as well as on our economy today. The Federal Government annually spends approximately 15 percent of its budget paying the interest on the Federal Government's debt.

Last year the Federal Government spent approximately \$1.5 trillion, much of it entirely unnecessary, duplicative, or just plain wasteful. We must return fiscal sanity to the Federal Government and discard the foolish notion that all problems can be solved by

more intrusive Government programs and yet more spending. It's time, Mr. President, to make some hard choices. We can make the tough decisions now, or leave them for someone else to make later, when they'll be even tougher. The honorable, sensible policy is to cut spending and cut it now. Only when we reign in the out-of-control spending of the taxpayers' money can we, like President Andrew Jackson, who was born in Union County, NC, get about the business of returning the luster to our Federal Union which has become so dim.

Mr. BOND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1996—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Chair now lays before the Senate the conference report to accompany H.R. 2546, the D.C. appropriations bill.

The Senate resumed consideration of the conference report.

Mr. JEFFORDS. Mr. President, I believe that under the present order there are 2 hours allowed on the bill. I have 1 hour of that time, is that correct?

The PRESIDING OFFICER. The time is equally divided until 12:30. So, yes, you have 1 hour.

PRIVILEGE OF THE FLOOR

Mr. JEFFORDS. Mr. President, I ask unanimous consent that Steve Greene, a fellow serving on the Committee on Labor and Human Resources, be extended the privilege of the floor during the consideration of the conference report on H.R. 2546.

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

Mr. JEFFORDS. Mr. President, I rise to present this conference report to the Senate today, at long last. It has been some 90 days that we have been trying to reach agreement. I hope my colleagues will listen very closely to what I have to say, and I hope very strongly that we will be able to pass this conference report. I do so with the confidence that this is the best compromise we can achieve at this time. It is important that we enact this bill and provide the D.C. city government with a remainder of the Federal payment and bring to an end the uncertainty about fiscal year 1996 appropriations. We are already partially through the year, and we still have not met our commitment to the city.

This bill contains some very important and long overdue educational reforms. However, it contains a couple of

provisions that were very contentious. I will explain those briefly. I think we have reached an accommodation on one. There is an abortion provision in there that says, "No funds, Federal or local, covered in this appropriations bill can be used for abortion, except to save the life of the mother or in cases of rape or incest."

Also, there is a provision which was not intended to be controversial—I want to clear that up—with respect to Davis-Bacon. There is no intention in this bill to waive the Davis-Bacon Act, except with respect to donated services to repair school facilities. I wanted to make it clear that they were not covered by the Davis-Bacon Act. It appears that in so doing, we perhaps created an interpretation that would say it also applied beyond what we intended. There is no intention to do that. So we will fix that at the appropriate time.

The controversial provision I am referring to is the portion that permits the use of taxpayer dollars to pay tuition vouchers at private and religious-affiliated schools. I urge you to pay close attention to what we have done here. The conference agreement allows for two different types of vouchers—one to be used for tuition, which is the controversial part. The other is to be used for after-school enrichment programs. Keep this latter one in mind. There is no controversy over this at all. There are some 20,000 D.C. students right now who are in need of remedial help. We have a 28-percent dropout rate in the city right now. We need to do something about that.

Also, as is true nationwide, about 50 percent of the kids who graduate from high school are functionally illiterate. I do not intend to allow that to continue. I do not think anybody in this body wants to do that. So we allow for the vouchers to be used—or scholarships, as some prefer to call them—to help the kids after school who are having remedial problems. However—and this is critical—in no case can any Federal funds be allocated for any voucher program until the D.C. Council approves of such expenditure. Schools participating in the voucher plan are required to comply with Federal civil rights laws. There is total local control here and no Federal mandate that they must be used.

This agreement reinforces the fundamental principle of local control and allows the D.C. Council to determine if vouchers are appropriate for the District of Columbia public schools and to determine the appropriate split between tuition vouchers and the non-controversial after-school vouchers.

Mr. President, I do not want to let the voucher piece overshadow the other educational provisions that are contained in the bill. The conference agreement includes a number of education initiatives designed to improve the public education and help all the children in the public schools in the District of Columbia by making it possible for them to compete in the future

work force. This is a critical problem in the District of Columbia and a critical problem in this Nation.

The District of Columbia public schools have a proud academic tradition. They have produced prominent Americans and local leaders. Our former colleague, Senator Edward Brooke, graduated from Dunbar High School, as did Dr. Charles Drew, the founder of the blood bank; and current D.C. Delegate ELEANOR HOLMES NORTON is also a graduate of the D.C. public schools. Space shuttle astronaut Col. Fred Gregory; former police chief Maurice Turner; former president of Howard University, Franklyn Jenifer; Gloria Steinem; and Austin Kiplinger, publisher of the Kiplinger's Personal Finance magazine, are all graduates of the D.C. public schools.

I do not intend for our heritage to be the destruction of the public schools in the Nation's Capital, but rather to provide the framework for its return to a tradition of excellence.

When this bill left the Senate, we had provided the most important components for that framework. We included a provision that would establish a Commission on Consensus Reform to review, comment, and advise District officials on the long-term education reform plan, public school budgets, and other activities of the board of education and the superintendent.

The Consensus Commission is made up of local citizens and D.C. school officials. Its mandate is to ensure that the reform plan that is agreed upon and developed by the public schools and officials is implemented. The decline of the quality of the District of Columbia's public schools has been punctuated by study after study, reform plans, and good intentions, but none of these studies has been notable in any followthrough or have resulted in any significant improvement of the schools.

The long-term reform plan provided for in this agreement will be implemented. The Consensus Commission will fulfill the necessary step of monitoring and oversight of school officials' actions. If city officials do not listen to its directives, the Commission will turn to the District control authority to implement the required action, and it will be implemented.

There is an important relationship between the Consensus Commission and the city's financial recovery which must be understood. When we first started discussing control board legislation a year ago, we asked the General Accounting Office and Congressional Research Service to talk to those in other cities and States that have gone through financial crises. As part of the results of those findings, GAO and CRS reported that in each city those involved volunteered that one of the great impediments to economic recovery and community development efforts which would lead to financial health was the poor state of public education in the city school system of

those cities. That is true of this city, and it is true of our Nation generally.

The District must be no exception. If we do not improve the quality of education in this city, we cannot hope to attract people and businesses into the city. That means that the District will become a ward of the Federal Government. During the process of retrenchment at the Federal level, we cannot afford to allow the city to become more dependent upon us.

Mr. President, the bill provides for the improvement of the overall D.C. educational system by requiring the superintendent of schools to create a District-wide reform plan. But broad plans are of little value if we fail individual children. The bill encourages a system to ensure that each child has a chance to succeed and no child is overlooked. To do this, we need to both help out teachers and hold them accountable for the achievement or deficiency of each student, and we need to hold the parents and students accountable so we can move forward to provide an education that is good for every child. We cannot do this unless we find a way to assess each student in his or her development.

There are provisions in the bill to establish up-to-date performance-based District-wide assessments that will identify every student in the District of Columbia public schools who does not meet minimum standards in reading, writing, and mathematics and will provide the kind of remedial help necessary in order to bring that student back into the position they ought to be in.

Once we have that assessment, we can apply the resources in this bill to those in need to get help after school, on weekends, or during the summer. We can no longer be content with knowing that the average number of students are performing satisfactorily. We must know that each child is succeeding and that none is left to fall through the cracks.

Also important is the creation of the public charter schools in the District that provides an alternative for parents as competition for the public school system. The expected result is a choice in public education and an improvement in the public schools by creating an incentive to change.

In contrast to the tuition vouchers, these public charter schools will be available to every student in the District regardless of income, academic achievement, or behavior problems.

The operators of charter schools must be nonsectarian, nonprofit and will receive the same per-pupil funding from the D.C. government as each D.C. public school receives.

The conference agreement also includes a \$2 million additional appropriation for Even Start programs in the District. Even Start is that program which allows us to work both with the parents and with the child, that are all illiterate, to bring them into literacy and into a better future.

Also included are funds to begin planning for a residential school for the District. Other school districts are experimenting with the concept of a residential school, and the superintendent believes if you can remove the influences of the mean streets it would make it easier to reach some of these kids. These funds will allow the superintendent to begin the planning process towards the establishment of a residential school.

The creation of a business partnership is designed to leverage private-sector funds to purchase state-of-the-art technology for the D.C. public schools. Face it, when our local grocery stores have more computer technology than our schools, we must make improvements. Our world is already dominated by technology, and that trend will only increase. If our children do not have access to technology, they will be hamstrung in functioning and competing successfully in the business and academic world after high school. Not only is technology essential to remain competitive now and in the next century, it also is the gateway to new experience and knowledge for school children.

In closing, Mr. President, I want to acknowledge the hard work and dedication of the chairmen of the other side, Representative JIM WALSH of the D.C. subcommittee and Representative BOB LIVINGSTON of the full committee, for helping to bring this bill to this point. We have had many conversations and it has been a tough fight, but I believe we have a good bill. I also want to express special appreciation to Representative STEVE GUNDERSON, whose hard work and dedication was instrumental in forming the House education reform package.

On our side, our distinguished ranking member, the Senator from Wisconsin, has been supportive and helpful in each stage. At the full committee, I could ask for no more cooperation and support than I have received from the Appropriations Committee chairman. Senator HATFIELD has convened and attended meetings with me in an attempt to reach an agreement. His help was indispensable. His counterpart on the minority side, the Senator from West Virginia, Senator BYRD, offered an amendment contained in this conference agreement and improves the bill in the important area of discipline.

Mr. President, I am sure that some Senators can find things in this bill to oppose. However, we have spent 90 days in conference on this bill. I can assure my colleagues that unlike Vermont cheddar cheese, this agreement will not get better with age. It is time to move on, to give the District the remainder of the payment for the cash that they need in its strapped condition now and allow it to focus on implementing the meaningful education reform that the majority of the bill provides. I urge my colleagues to support this conference report.

I yield the floor. I reserve the balance of my time.

Mr. KOHL. Mr. President, let me begin by commending Senator JEFFORDS for his leadership on this important piece of legislation. I greatly admire his enthusiasm and his skill in putting together this difficult bill—especially as it regards education. Senator JEFFORDS is a long-time advocate of quality education for all our Nation's children, and in the Senate-passed D.C. appropriations bill, he brought some of his best ideas to the children of the Nation's Capital.

For example, the chairman has created a consensus commission that will remove obstacles to much needed reform of the District's public school system. The agreement also includes funds for the expansion of Even Start programs for District schools, authorizes establishment of charter schools, and encourages partnerships with business, to facilitate technology assessment and job training initiatives.

Unfortunately, the House conferees were adamant in their opposition to the inclusion of any education provisions in the conference agreement—and, for that matter, adamantly opposed to any conference agreement at all—unless a House-sponsored provision related to education vouchers was included in the bill. I did not support this action in conference, and I cannot now support an agreement that includes vouchers.

As former chairman of the D.C. Appropriations Subcommittee, I take this step with great regret. Senator JEFFORDS is an able, effective and dedicated chairman. Under difficult circumstances, he has labored long and hard to craft a measure that will put the District on the road to recovery. I believe that by removing the voucher provision—and by amending the provisions regarding reproductive health and Davis-Bacon—this report could be adopted by unanimous consent.

In my opinion the concept of public funding for private schools is fundamentally flawed. Private schools have selective admissions policies, in some cases enrolling only those students of a particular religion or gender. Public schools do not discriminate: they are charged with educating all children. Our first priority must be to help public schools meet their goal. Unfortunately, this bill does not reflect that priority, and therefore, I will vote against cloture and I encourage my colleagues to do the same. I have a longer statement detailing my objections to the voucher provision that I will include in the RECORD. Mr. President, I hope that we can act quickly to resolve this matter and produce a report which will be acceptable to all Members of the Senate. The District is in dire financial straits and the situation is deteriorating rapidly. It is my understanding that the District will run out of cash within the next several weeks, if this matter is not resolved. Unless Congress releases the balance of the Federal payment, the city will be unable to meet payrolls, pay bills or

provide basic services. I therefore urge my colleagues on the other side to stop holding the Nation's Capital hostage in order to debate a subject that would be better resolved on an education bill.

Mr. President, it is my understanding that pursuant to the unanimous-consent agreement governing this matter, time for debate has been equally divided between the majority and the minority. For purposes of addressing the issue of vouchers, I have agreed to yield to Senator KENNEDY such time as he may consume. I yield the floor.

PRIVILEGE OF THE FLOOR

Mr. KENNEDY. Mr. President, I ask unanimous consent that Danica Petroschius and Sam Wang, legislative fellows in my office, be granted privileges of the floor for the duration of the debate.

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

Mr. KENNEDY. Mr. President, I yield such time as I might use.

Mr. President, just some obvious facts that should be evident to all the Members as we come back to the legislative process and consider the D.C. appropriations conference report. First of all, I want to commend my friend and colleague, Senator KOHL, for his statement. He has, since the time of the conference report, visited with a number of us on this issue. He has taken great interest and great diligence during the period of the conference. He has a real grasp and understanding about the public issues and policy issues raised by this conference report.

As a Member of the body and the Education Committee, I want to commend him for all of his good work and for raising these very, very important issues in a way which I think will gain broad support. I thank him for his attention and involvement in the issues.

Second, Mr. President, I want to acknowledge the very strong dedication and commitment to education and adequate funding of education from the Senator from Vermont, my friend, Senator JEFFORDS. His words carry great weight in this body, as they should, on any issue, but particularly on education issues and on the issues involving education in the District of Columbia. He has not only been tireless in his commitment to enhancing educational opportunities in the District through public policy, but also he has committed himself personally in the Everybody Wins Program, a special program to provide literacy training to the students in the District of Columbia. Through his intervention, the Members of this body are much more familiar with that program. Because of Senator JEFFORDS' leadership, Members in this institution and the House of Representatives, in the various Cabinet offices, and many of the others in the community reach out and work with young people, in training and enhancing their literacy capability. So he brings a very considerable credibility to the positions that he takes.

Even though he and I generally agree on most educational issues, on this

conference report I reach a different conclusion, not only because of the position on vouchers, but for other reasons as well. I think the Senator from Wisconsin pointed out very clearly that if the amendments had not been included, those dealing with the issues of a woman's right to choose, those issues involving Davis-Bacon, as well as the issues on vouchers, this legislation would go through unanimously.

What we are faced with here, with this conference report, is what we have been faced with in other types of appropriations, is riders that are not directly relevant to the appropriations matters at hand. Davis-Bacon rider waives labor protections and denies workers on federally funded construction project the right to be paid locally prevailing wages. Consideration of these issues falls under the jurisdiction of the Labor and Human Resources Committee. We have had hearings on them. We have reviewed various proposals. To undermine the committee's ability to deal with this and to tag it onto the D.C. appropriations is quite unacceptable.

I do not know what the majority has against workers with an average income of \$26,000 a year—that is what the average worker receives under the provisions of Davis-Bacon. I just left a hearing of the Judiciary Committee. Because of an oversight in drafting, \$4.6 billion are going to go to a handful of pharmaceutical companies—\$4.6 billion. In this bill, we face a rider that will undermine the ability of construction workers to be paid the prevailing wage in the District. This undermines their ability to receive a fair compensation. It just once again reminds us, or should remind us and remind the American people, about who is on whose side.

I must say, Senator CHAFEE is working with Senator PRYOR to try to alter that oversight. Hopefully they will be successful.

Nonetheless, we have the inappropriate rider on Davis-Bacon in this bill. We have the inappropriate rider on a woman's right to choose. Harris versus McRea asserts that the use of State funds to provide abortions for poor women is a State, not a Federal, decision. But not in this D.C. legislation. It decides how local funds will be used. We are not letting the people in the District of Columbia, as we permit in every other State, to make a judgment. The restrictive language in this bill will cause a very serious hardship, particularly among the poorest and most needy people in our society.

The majority imposed a measure affecting protections for income levels for workers. The majority decided to superimpose their judgment on a woman's right to choose. And the majority has imposed a private school voucher program that was rejected a number of years ago by an 8-to-1 majority in the District of Columbia.

The Congress refuses to say on this issue that the local people know best.

How many times have we heard that rhetoric here on the floor of the U.S. Senate? Oh, no, not with regard to the District of Columbia, they do not know best. They do not know how they want to allocate their resources. But, we in the Congress, we know best what is in their local interests even though they have clearly rejected that proposal a number of years ago. Vouchers also have been rejected in a number of States on statewide ballots. 16 States have rejected it.

While I support various kinds of public school choice, that is not what is at stake today. Today, the most important question is whether we are going to take scarce education funds away from children who attend the public schools to provide those resources to private schools. That is the core issue.

So, I strongly subscribe to the position that was taken by the Senator from Wisconsin who said that without these riders that are not germane to the underlying core issue this would go through on a voice vote.

Mr. President, having expressed my strong view about the commitment of the Senator from Vermont on this issue, I question the seriousness of this Congress on its commitment to supporting public schools. We saw a year ago the cutting back of some \$28 million from D.C. public schools. This year, it is about \$11 million. We know under the Republican proposals in the House of Representatives there will be a 22-percent reduction in all support for elementary/secondary legislation on appropriations. Let us understand what we are looking at in a broader context. This Congress is pushing significant reductions in funding for public schools generally, and significant reductions in funding for D.C. public schools.

During this debate and discussion, we find individuals who say, "We have the answer. We do not have to provide the funding for public schools. We do not have to listen to what the Governors of this country, Republican and Democrat alike, recommended to the Nation when they met down in Charlottesville, VA." And that is that children, in order to be able to learn, have to go to school ready to learn. That means they need an adequate breakfast and to be able to come from a home atmosphere free from substance abuse, family violence. They must be free from being preyed upon by gangs in the schoolyard and a whole host of different kinds of challenges.

We hear that the answer to all the problems in the school districts is vouchers. Proponents of the voucher program say that D.C. has the choice of whether or not to implement a private school voucher program. That decision really lies with a newly created Scholarship Corporation. The D.C. Council only has veto power over proposals submitted by the Corporation.

Of course, if the council does not agree, do you think the local school district will be able to spend that \$5

million for the benefit of all the children? Absolutely not. If they do not spend it on vouchers, they cannot spend it at all. You talk about intimidating or attempting to intimidate the local school. If they do not go along with this oversight body, they lose the \$5 million. It is that kind of intimidation, it is that kind of wrongheaded policy, it is that kind of paternalistic attitude that ought to be rejected today. Again, we could pass D.C. appropriations in a matter of seconds if we freed ourselves from these riders.

It is important to understand the number of children we are talking about. Even if we were able to provide the full range of funding, \$5 million, to children, we would fund only 2 percent of the D.C. school population. Vouchers take money away from what is available to children generally in the school system to try to provide some help and assistance, whether it is to enhance their math and science skills, whether it is to support reading and literacy, whether it is to make some minor repairs in school buildings that are 100 years old.

And what will the fate be of that 2 percent? Many people think that these low-income students will be able to go to the private school of their choice because of the voucher provision in this bill. But the private schools can decide whether to accept a child or not. The real choice is given to private schools, not parents or students.

Private schools choose a hand-picked group of students who are much more likely to have college educated parents and to come from high-income families than their public school counterparts. Public schools can't be selective. They must take the children of the homeless and children of limited English proficiency. The public schools take children with disabilities. They must take all students and try to teach all students no matter how disadvantaged their background. They don't have the luxury of closing their doors to students who pose a challenge.

Little Johnny wants to be able to go to private school. He is able to qualify for that voucher, but the school says no. That is the difference. This is not competition. This is not letting the parents or the children make the choice. This permits the school to make the choice. The school can turn him down. They have a limited number of positions and they take the children that will fit into those particular slots.

Now, are we going to insist that they take all students? Are the proponents of the voucher system going to say, "OK, if they do not take them, they should take them," so that we have an equal playing ground in public and private schools and have a real choice? Are they proposing that? Of course not. Nothing of the sort.

Those who support the voucher system are not creating a level playing field. What they are doing is taking the money, scarce resources out of the public school system and giving it to chil-

dren that may or may not gain entrance into the private school system. We should not take the money out of the public schools and put it into the private.

There is no evidence that voucher programs work. In Milwaukee, which has had a voucher program for 5 years, test scores of voucher students did not rise. One third of parents and students who began participating in the voucher program there have opted out of it. In the last month, 2 of the 17 schools that participate in the choice program have closed and 2 more are being audited because of serious financial difficulties.

Mr. President, I see colleagues here on this issue, and I will yield at this time to permit them to speak and come back to this issue.

In summary, this is the wrong answer for a central challenge. We must invest in children at the earliest possible age. That is why 2 years ago we changed the Head Start Program to include younger children and provide programs for parents to learn parenting skills for children to get them involved in school. The recent Carnegie Commission report suggests that we must be serious about investing in young children. We do not want to abandon public schools by taking scarce resources out of them and putting them into private schools. We are effectively turning thumbs down on the public school system. We are abandoning them. We are not giving them close enough attention.

This voucher proposal will fund the few at the expense of the many. It gives scarce Federal dollars to the schools that can exclude children. It also ignores the fact that in 16 States and the District of Columbia this concept was rejected. And it raises the important constitutional issues which were raised in a Milwaukee case that now stands before the Supreme Court. It is unwise policy. It is unjustified. And if we really care about children we ought to be looking at what is necessary and essential as a nation to adequately invest in those children, in those teachers, in their classrooms, and in the latest technologies for them to have a more complete education system.

Mr. President, I think Senator SIMON was here first, and I yield to him such time as he may want.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, first I ask unanimous consent that Janette Benson, who is an American Psychological Association Congressional Science Fellow in my office, be permitted floor privileges for the duration of the debate on the D.C. appropriations conference report.

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

Mr. SIMON. Mr. President, we have a very fundamental policy decision here. Vouchers are being tried right now in Wisconsin, Minnesota, Ohio, and perhaps elsewhere. That is the advantage

of the Federal system. I happen to think we have to be very careful as we approach this. Among other things, we have very limited resources the Federal Government is putting out, and we are talking now in this budget about cutting back. In fiscal year 1949, the Federal Government spent 9 percent of its budget on education. This year, as I have said in the Chamber, it is 2 percent, but my colleague from Vermont has corrected me and said we are down to 1.4 percent. And now we are talking about dissipating these resources. I do not think that is wise.

Second, while technically we do not mandate the D.C. schools to do this, what we say is here is some money and if you spend it for this, you can have it. And if you do not spend it for this, you cannot have the money, for a strapped D.C. school system.

Third, as Senator KENNEDY pointed out, the participating schools do not have to take all students. So there is a creaming process that hurts the public schools. There is just no question about it. That is the difference between this and the student aid program that we have.

Then what we do is we fail to address the real problems of the D.C. public schools. Real candidly, I have only visited one school, the school both Senator JEFFORDS and I get over to as frequently as we can to read to a student, and that school I visit is, it is my guess, above average for the schools in D.C.

Last year, I visited schools in Chicago, on the west side, and the south side. I visited 18 schools. I did not take any reporters with me. I just tried to see what was going on. I saw some encouraging things; I saw some awfully discouraging things. We ought to be addressing the real problems of urban schools in America.

This does not move in that direction. I hope we will restrain our desire to move in and, with the minutest detail, tell the D.C. schools what they ought to do. We ought to be helping urban schools. We ought to be helping schools in our country in general much more than we are. This is not the right way to do it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GLENN. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, I rise today to oppose the District of Columbia appropriations bill. I oppose this bill for the same reasons that Senator SIMON and Senator KENNEDY have already discussed, because it includes a provision that permits publicly funded "scholarships," to low-income students to attend private and religious schools in the District. I believe this is just another attempt to fund private schools with already scarce Federal dollars, too scarce.

I have consistently opposed attempts by Congress to encourage the use of

Federal funds to support private schools whether in the form of tuition tax credits or vouchers. Including this provision would be the first step toward establishing a permanent voucher program for education in this country. Mr. President, if the public schools are not producing the product we want, we need to fix the system, not start siphoning additional money from its purposes and from what it is being used for now.

The system of public education in this country is available to all children. Every young person has a right to expect to get a good education out of the school system in this country.

If it is not producing the high level of achievement needed, we cannot abandon it, but rather we must find ways to make necessary improvements. Not only that, but this is a time when education programs are suffering from a disproportionate share of Federal budget cuts. Diverting Federal resources over to private schools rather than trying to strengthen the public school system of this country is just wrong.

Mr. President, I think most people are surprised when they find out what a small percentage of support comes from the Federal Government for elementary and secondary education. The Federal Government plays a very major role in higher education—Pell grants, loans, things like that. That help is really an aftermath of the success of the GI bill for education after World War II.

So the Federal Government has a very major role in higher education but plays a very minor role in elementary and secondary education; the highest we ever got up to was about 9 percent of the expenses for elementary and secondary. It gradually drifted down to 6 percent. If I heard Senator SIMON correctly a moment ago, I believe the current figure is only 1.6 percent, something like that. I do not know whether it is that low or not. I thought it was still around 5 or 6 percent, which is too low to begin with.

Elementary and secondary education is basically funded through State and local funding. It comes from an antiquated property tax we should have corrected many years ago. Go back to the early days of this country, and most of the wealth of this country was in property. We did not have NASDAQ and the big New York Stock Exchange and the international flow of funds and investments. We had property, and that was a fair measure of people's ability to support an educational system. So a property tax became the norm for supporting education in this country.

Now we are over two-thirds a service economy, and yet we stick with the property tax. As Lester Thurow pointed out in his book a couple years ago, we run our educational system not on a national basis like every other major industrialized country in the world; in this country we elect 15,000 independent school boards who are getting

elected on the basis of, "We will not raise your taxes." That is how we take care of one of the most important functions of our whole society—how we educate our kids for the future, how we educate our young people to be competitive in an increasingly competitive world.

I personally think we should be doing more on this at the Federal level. International competition is going to eat us up if we are not careful and do not get our kids the first-rate education that they deserve. I do not want to see money siphoned off from our system, supporting efforts to leave the public school system. So I will support the finest public school system in the world, in this country and vote to supply the money for that.

There is another concern about this that was mentioned on the floor a few moments ago. That is, this proposal does not require private schools receiving vouchers to accept students with learning disabilities, behavioral problems, homeless students, or those with limited English proficiency. You can siphon off the kids you want and not take the kids in wheelchairs, the kids with learning disabilities, the kids with dyslexia that are treatable and should be treated and should be part of our system that helps young people get a start in this world. There is no requirement for private schools receiving vouchers to accept students with these problems.

Public schools have the responsibility to educate all students. I certainly worry, with this legislation, that vouchers will skim the best students and leave public education with little Federal help and yet expect them to solve all the educational problems. That is just wrong.

I believe that providing vouchers to religious schools also is unconstitutional. There is no Federal or State court, as I understand it, that has ever upheld using vouchers for private or religious schools. In fact, in August, the Wisconsin Supreme Court issued an injunction against the expansion of Milwaukee's School Choice Program to include religious schools—an injunction against them.

Vouchers undermine any serious attempts being made to reform our public education in this country. With this voucher provision included, I will vote against the District of Columbia appropriations bill.

Mr. President, very briefly—I know other Senators are waiting—but while I have the opportunity, I want to mention my opposition to another provision in this conference agreement which was recently brought to my attention. That is section 2551(b)(6), which would waive Federal procurement laws for the GSA Administrator when he provides technical assistance and advisory services for the repair and improvement of D.C. schools.

I am told the sole reason this provision exists is to speed up the process of getting D.C. schools in shape in conjunction with a 2-year flash program.

While that may be an admirable goal to get these things taken care of speedily, both GSA and the D.C. government have been plagued with their share of problems over the last few decades. The District in particular is ripe with examples where contracting was not carried out properly, and to just waive all the rules and regulations and let them go because we need speed in this particular area, I think takes too big a chance.

We all know too well there is enormous potential for fraud and abuse in procurement. I am not willing to approve such broad authority without any assurances attached to it. There are reasons for these procurement laws, reasons throughout Government why GSA has a procedure. We just revised them. I was chairman of the Governmental Affairs Committee when we went through some of these procedures and changed the procurement laws for our whole Government to protect against fraud and abuse in these programs. To waive those things, particularly with the District of Columbia, that does not have a good track record in the area of contracting and fiduciary or financial responsibility, I think is just wrong.

This legislation does not even include a reporting requirement on contracts awarded under this provision. There is no evidence that they considered using one of the exceptions to full and open competition under the Competition in Contracting Act [CICA], such as unusual and compelling urgency or in the public interest. While these procurements would still be protestable, it would have been a much more palatable solution than broad waivers.

I have opposed blanket waivers of procurement laws in the past. Most recently I came to the floor to speak against the waiver of procurement laws with respect to the FAA. Although I continue to believe that the FAA waivers were a bad precedent to set, at least that legislation contained a very specific list of the laws to be waived. No such list exists in connection with this provision. A few laws, such as CICA and the Office of Federal Procurement Policy Act have been named, but the phrase, “* * * or any other law governing procurements or public contracts * * *,” leaves the rest of the field wide open to include labor, civil rights, and financial management laws.

The list in this bill, at the very least, should be as explicit in the D.C. appropriations bill as it is in the DOT appropriations law. This is a very dangerous precedent to set even for a limited period of time and for a limited purpose.

If the conference report is defeated, I hope the committee will consider this view and redraft, if not delete, this provision from the bill.

My basic objection, going back to where I started, is, to siphon off money from the public school system for private purposes is just flat wrong. If we have problems with our public school system, let us fix it. Let us vote the

money for it, not siphon off what little money we have in it now.

I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. I yield the Senator from Connecticut such time as he may want to use.

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

Mr. LIEBERMAN. Mr. President, I thank my friend and colleague from Vermont.

I rise to indicate my support for cloture on this D.C. appropriations bill. I do so because, as most Members in the Chamber, I would like to begin to see some money flow to the District generally for its operations, but I specifically want to speak to the reason why many of my colleagues will oppose the cloture motion, and that is their opposition to some of the education reform measures that have been attached to this appropriations bill. I strongly support those education reform provisions, including the scholarship program that has been referred to in this debate, which is a relatively small part of the overall District school reform proposals in this bill.

I must say that I approach this debate in a very different spirit. We have been through a lot of gridlock, again, in this Congress. Ideas that are new have been talked about. Not too many have made it forward. But I feel a sense of joy, frankly, to have this package of progressive and genuinely important reforms for the District of Columbia school system on this floor for consideration today. It would be a shame if passage of these provisions, which could do so much to help children and families in this Capital city of ours achieve their full potential and escape the cycle of poverty, is stopped because of opposition to this modest program of scholarships for poor children. That is what we are talking about. The education reform provisions in this bill were not imposed by our friends in the House from up on high. In fact, they had their origin with a locally based education reform commission that was established in the District.

While all of the attention and controversy in this debate and outside has been focused on these scholarship funds which will allow some children to leave the public school system and go to non-public schools, there are a wide variety of other provisions in this measure that deserve to be noted.

The so-called D.C. School Reform Act, which is now part of the bill before us, would, in fact, direct approximately \$302 million out of the \$324 million in new funds over 5 years provided for in this bill to benefit public school students, public schools in the District of Columbia.

Let me focus on two words. We are talking here about new money. We are not skimming money off that otherwise would go to the public schools. We

are talking about new money and, in fact, all but \$22 million of that will go to the public schools. It is just \$22 million of the \$324 million that are part of this innovative scholarship program.

What else does the reform act do? It permits charter schools, public charter schools, and encourages choice among public schools. It assists the D.C. public schools in establishing a strong core curriculum in basic academics, promotion standards based on a new curriculum and training for the over 5,000 teachers in the school system.

It protects public school teachers from losing their jobs due to any restriction in the number of full-time employees contained in this appropriations legislation.

It provides for a new per-pupil funding formula to be developed by the District that we think will establish the stability and predictability in the education budget as the District cuts its overall budget.

This measure provides so-called Even Start family literacy education programs in public schools for over 7,000 families, including 28,000 students and parents.

It provides state-of-the-art security measures for over 3,700 students and teachers at high-risk schools in the District.

It provides work force transition assistance to 27,000 seniors and juniors through the nationally proven Jobs for America's Graduates Program.

It establishes a high technology training and referral center in the District that will serve up to 4,000 18- to 25-year-olds.

And it establishes a national partnership with business to put in place computers and high-technology infrastructure in the schools, leveraging at least \$40 million in public and private resources.

That is all that this measure does for public schools and students in public schools.

So what is all the fuss about? The fuss is literally the tail on the dog here. I gather that my colleagues are opposed to providing tuition scholarships to between 1,000 and 1,500 low-income District students in the first year to attend private schools of their choice, religious or nonreligious, and those schools, incidentally, have to be located in the District. Over 5 years, as many as 11,000 annual tuition scholarships could be provided.

Do my colleagues in the Senate really want to oppose legislation that will enable kids from families below the poverty line to receive full tuition scholarships of up to \$3,000 a year to give them a better chance to develop their potential in safer schools? Do we really want to stop families that are between the poverty line and 185 percent of poverty who can qualify for half-tuition scholarships, up to \$1,500 per year under this provision?

Do we really want to oppose parts of this bill that would provide 2,000 to 3,000 after-school scholarships in the

first year, 22,000 over 5 years to low-income students after school programs, including academic tutoring, nonacademic enrichment programs, or vocational and technical training?

Mr. President, I cannot believe that is really what the Senate wants to do and why we would block consideration of the overall D.C. appropriations bill.

My colleagues in the Senate are probably not surprised that I am speaking in favor of cloture on this bill and support of the scholarship provisions, because I have fought for several years now, usually alongside, my friend and colleague from Indiana, Senator COATS, who I notice is on the floor, to create a similar national demonstration program to be available to kids in poverty areas around the country to, once and for all, test this idea.

There is a lot of controversy about private school choice. There is no controversy about the fact that our public schools are just not working for millions of children in this country. There is no controversy about the fact that if you are not educated today, you are not going to be able to make it in the work force of today.

We are all preoccupied with the Presidential campaign and brother Buchanan's statements about economic insecurity. What is the root of economic insecurity, and what is the road to economic security? A better education. The kids in our poorest school districts are simply not getting that education. Senator COATS and I have offered the Low Income School Choice Demonstration Act in an effort, once and for all, to make scholarships, such as those provided in this bill for District of Columbia students, or vouchers as we call them, available at between 20 and 30 demonstration sites around the country.

Can anyone honestly say that we are so confident about what our public school system is doing that we do not want to test another way to see what effect it will have on the kids who have this choice, who get these scholarships, to see what effect it will have on the public schools?

Senator COATS and I are open to the results. In our bill, we have the Department of Education doing an evaluation which will help us understand the effect of this program. Are we so intent on protecting the educational status quo, the existing system, which we know is failing millions of our kids, that we are not even willing to test, as Senator COATS and I would do in 20 to 30 systems around the country, as this bill would do in the District, another way to see whether it will work, to see whether it teaches us anything about how we can improve our public schools?

Mr. President, just take a look at the front page of the Washington Post today. Coincidental, I guess. It is a story of a principal, Learie Phillip, obviously a fine man, working hard to provide an education at Roosevelt High School here in this city. The descrip-

tion is given of just the time he spends trying to maintain basic order, getting kids to go to the classroom, keeping children from marauding the halls, terrorizing other kids and teachers. There are descriptions of one teacher who attempted to get some kids to leave the halls and go to their classes, getting beaten up brutally—a teacher beaten up. Children are trapped; good children, wanting to learn, are terrorized in this school system.

Let me read a quote from the Washington Post from another story last fall about an emergency education summit Mayor Barry held at Dunbar Senior High School on October 8, 1995.

It was a group of student leaders who came to dominate the summit's main session—students describing life in the public schools in the District as a world in which they constantly go without—without books, without caring teachers and principals, without the training they need to succeed in life. "Today the mayor has asked us here because there is a crisis in our public schools," said Devon Williams, 15, a sophomore at Banneker Senior High School. He adds, "When school first started in September, it dawned on me that many public schools did not have teachers. I did not have a global history teacher for 2 weeks. If I don't have a book, if I don't have a teacher, what can I learn?"

Here is a quote from another Washington Post editorial back on June 28 of last year:

According to the Washington Teacher Union's nonscientific sampling of D.C. teachers, 45.2 percent of the teachers who responded said they had been victims of acts of violence. Almost 30 percent said threats of violence had kept them or their coworkers home from work. "Serious disciplinary problems are causing teachers to lose 18.5 hours of teaching time per year for each class taught," according to the union president's written testimony. "Disruptive students steal time away from students who come to school to learn," Ms. Bullock of the Washington Teacher's Union testified.

Mr. President, if this level of fear and violence applies to teachers, we really have to wonder and ask what life is like for the students in the schools who are there to learn. In some schools it must take a great deal of courage just to show up to class every day, much less to stand out by excelling academically. It has been an American tradition that one of the great strengths of our country has been that, with an education, you can work your way up out of poverty. But now, more than ever, there seems to be a vicious cycle in operation that has resulted in a concentration of poor kids trapped in inadequate, unsafe inner-city schools, without hope and without opportunity.

Families who have money around our country, who are faced with sending their kids to schools, such as the one I have described, would do just one thing: They would walk. They would use that money to exercise a choice and remove those kids to better schools. The sad reality is that families without money cannot do any of those things. Families that have the money have the ability to exercise a choice. Poor families are at the mercy of fail-

ing schools. I, for one, cannot, in good conscience, accept the continuation of that reality. I cannot accept what it means in terms of deepening the cycle of poverty and hopelessness for the children of our poorest areas of America.

I know that some of the opponents of this kind of scholarship or voucher program are concerned that it will harm public education by allowing the best students—the so-called advantaged students—to escape from public schools. Mr. President, in the case of this proposal, that is just dead wrong. These scholarships will be distributed according to a system worked out along with the D.C. City Council. In a broader sense, it misses the whole point of what the program is intended to do. We are trying to recognize that schools in some parts of the country—in this case, the District of Columbia—are not working for our kids. They are not performing their basic mission of educating our children. And so we have to give some of the kids an opportunity to seek a better way, until we have the ability to reform and improve the public schools. And maybe from the lessons we learn at these nonpublic schools, our public schools will learn how to make themselves better.

Opponents say we should work to improve the public schools. Of course we should. Senator COATS and I and Congressman GUNDERSON agree with that. We should devote more time and energy and resources to improving public schools everywhere. And that has been where most of our money and effort has gone. That is where most of it goes in this bill. In the meantime, the fact is that poor children, who are average, above average, and below average—it does not matter—will all have a shot at these scholarships in the District. They all deserve an equal opportunity at the American dream. Right now, trapped in these unsafe schools with inadequate resources, with teachers afraid to teach, they are not getting that opportunity.

Others oppose the program because it would allow the use of tuition scholarships at religious schools. This is an old argument. I happen to believe—according to what I take to be the prevailing Supreme Court decision of *Meuller versus Allen* in 1983—that this program is absolutely constitutional.

But what is the great fear? Does somebody fear that by giving a poor child a scholarship to go to a religious school, we are establishing a religion in this country? That is ridiculous. We are giving that child an opportunity to go to a school that his or her family wants him to go to, and that one of the reasons they want them to go there is that, in addition to a safe surrounding and a good education, they are also going to get some values. Maybe that is something we have to learn, as well, from this experiment.

The Rand Corp. did an important and revealing study in 1990. It showed that the performance of African-American

and Hispanic-American children at Catholic parochial schools was much better than that of a comparable group in public schools—not skimming, similar kids, similar backgrounds. It also showed that the gap in performance that exists between the minorities and other children dropped significantly in the parochial school system.

The study identified several factors in the success of the parochial schools they examined. Teachers in the schools are able to provide students with more personal attention. Those schools had a more rigorous academic curriculum. They do not teach down to the students. They tell them that they can reach up. They set higher standards for all the kids and, in fact, one of the results is that the kids get either to those standards, over them, or close to them. It was less of a stifling bureaucratic presence.

I must say that I have always felt that every time I visited a religious-based school, another key to the success of these schools is their sense of mission, sense of purpose and dedication to values that the teachers and the schools bring to the classroom and to their children. Maybe it is hard to measure that, but we see it.

Let me report briefly to my colleagues on a visit that Senator COATS and I were able to take to a school in the Anacostia area, Dupont Park School, affiliated with the Seventh-day Adventist Church. It is a very impressive place. The principal is a devoted woman. We asked her about the educational administrative bureaucracy there—she is it. There is no top-heavy bureaucracy. She directs the school and takes care of all of it.

The kids, the demeanor, the commitment, the attitude of the children was very impressive to Senator COATS and me. Their test scores are exceptionally high. Mr. President, 97 percent of the kids at that school—and they come from a wide range of groups within the neighborhood; some of them from poverty families—97 percent of the kids test above national average.

We went into the classrooms. The first graders were talking Korean to one another. The school choir sang a song from Africa in the African dialect. Computers—second, third, fourth grade kids working on computers, studying global history, working with advanced math.

The school's annual tuition, well below the \$3,000 threshold of the program of the scholarship program in this bill. We were in one of the classrooms and we asked, "Do you like going to this school?" Everybody said yes. We said, "Why do you like going to this school?" A whole bunch raised their hands, and we called on one young man and he said, "I like going to this school because our teachers love us." This was a third or fourth grader. I thought maybe he would say it is an old building but it is very nicely kept. I thought maybe he would talk about the computers or the excitement of

learning about world cultures. I am not saying there are not a lot of teachers in the public schools who love their students, but he has a sense of worth because he has received that message from the school. In another class we said, "Why do you think your parents sent you here?" One girl raised her hand and she said, "My parents sent me here because my mom told me that here none of the students would be carrying guns or knives." That is the truth.

As I indicated earlier, it seems to me there is something special to be learned from the schools. We ought not to cower from them in fear. We have nothing to fear from them. We have a lot to learn from them and their sense of purpose and dedication, and perhaps in the public schools we can build on some of that as well.

The bottom line is this: Poor kids deserve the same access, the safe, secure, loving, encouraging environment as kids who have more money. That is what this scholarship program will test and offer to a small group of children in the District of Columbia school system.

I thank the Senator from Vermont for his generous gift of time to me.

Mr. JEFFORDS. I yield myself such time as I may consume. I want to take a moment to straighten out the Davis-Bacon problem so that Members will not, I think, be concerned about something that was inadvertently done in the bill, and I am not sure is even there at all. The basic law upon which all contracts are considered with respect to the Davis-Bacon and the District of Columbia, and that is the Davis-Bacon law says every contract in excess of \$2,000 to which the United States or the District of Columbia is a party for construction, alteration, and or repair, et cetera, is included under Davis-Bacon.

Now, some of you may remember that Congressman CASS BALLENGER on the House side has this dream, and I hope it comes true, that thousands if not millions of dollars will come in from private business and corporations to assist in altering and helping schools.

There is a provision with respect to the head of the GSA that says that in the event that he provides technical assistance to these private firms, that if that technical assistance exceeds \$2,000 that should not trigger Davis-Bacon for those kinds of donated services.

That is the intention. Some say it can be generalized. I do not see how. Because of that concern, we will take care of that when it comes to the final bill. I just want to let everybody know that really there is no Davis-Bacon argument in here.

I yield 10 minutes to the Senator from Indiana.

Mr. COATS. Mr. President, I want to tag on, I do not know if I can add to what was so articulately presented by my colleague, Senator LIEBERMAN, from Connecticut, about the many reasons why we ought to go forward and

support this demonstration effort to determine whether or not it is a valid idea to allow students and their parents to make a choice, or at least to have a choice, to attend a private school in lieu of the public school education they are receiving.

Senator LIEBERMAN and I obviously feel that it is. We have been trying to promote the idea of school choice for several years here in the U.S. Senate, albeit, unsuccessfully. The evidence is rolling in at a very rapid rate that at least in certain sectors of our country the public school system is badly failing our children. Now, many Americans can opt out of that. They can opt out of that because they have the financial wherewithal to select a different school for their child if they feel that child is not receiving a legitimate education or an education that will allow them, in many cases, to escape the poverty that they find themselves in. Probably most, if not all, of the Senators in this body had that choice.

I think that it is important to stress what we are attempting to do here. We want to allow a test of the concept of making assistance available to families and to students who do not have the financial means to make a choice as to where their children will be educated. Many low-income families find themselves trapped in a failed education system or in a school that is not providing education to them in a sufficient way to allow them to escape some of the desperate situations that they live in. We find parents that are pleading for the opportunity to have the choice that most of the rest of us in this Chamber enjoy.

This is an extraordinarily modest attempt, far less than what I would propose. Maybe it is the only thing that is achievable, but an extraordinarily modest attempt to give a few students and their families, in some of the poorest areas of this city, an opportunity to opt out of a failed system and into a school that they think can provide a better education and a better atmosphere for their children.

I ask my colleagues, if you have any doubts about the value of such an opportunity, go and visit the school that Senator LIEBERMAN and I visited a couple of weeks ago. This school is located in one of the poorest sections of this city, and the vast majority of its students, over 90 percent, are African-Americans, many of whom are from low-income families. Their parents have made extraordinary sacrifices to pay the tuition, which is modest for the education they are receiving, so the children can go there. It is one of the most remarkable examples of the differences that exist today between private schools and public schools in many areas.

I do not want to say all public schools are bad because they are not. I happen to send my children to public schools. That is a choice we have. If I were living in an area where the public

schools were not, in my opinion, providing the learning experiences, providing the education, providing the atmosphere, the safety, that I felt was appropriate, I had the choice, the financial wherewithal to send them somewhere else. However, many low-income parents do not have that choice. They are condemned to the school in their neighborhood, the school to which they are assigned.

Mr. WELLSTONE. Will the Senator yield?

Mr. COATS. I will be happy to yield at the end. If I had unlimited time I would be happy to yield to the Senator because I know of his experience in this issue and I respect that.

There is a school in Indianapolis that exists in the near east side, one of the poorest neighborhoods of Indianapolis. It is a private parochial school. A wealthy individual in Indianapolis who was frustrated over the inability of low-income students to have the same choices as other students put \$3 million of his own money into a fund that would pay for half of the scholarships at this school. The school, incidentally, charges a per pupil tuition which is one-third the per pupil expenditure in the public schools. This gentleman decided to pay half the tuition for low-income families living in the inner-city neighborhood of the school to ensure that those families would have a choice as to where their children would be educated. The demand for these scholarships was so overwhelming that the school could not begin to accommodate the numbers of students interested.

This parochial school had the kind of streamlined bureaucracy that Senator LIEBERMAN referred to earlier in discussing private schools. This school has one principal and I think one administrator who handled the book work and so forth. But the remarkable difference between this school and public schools concerned the experience of the students—the extent of their education, their achievements, their respect for the institution, and the involvement of many of the teachers, many of whom were making a great financial sacrifice to teach as part of a commitment and a mission that they felt—it was dramatic difference.

So, really what is at issue here today is whether or not the U.S. Senate is going to continue to insist that the educational choice available to middle and upper income families not be allowed for essentially minority, low-income students. And whether or not we have an obligation to at least test the concept to see whether or not the benefits that we propose are in fact benefits that do inure to these students.

If opponents of this proposal are correct, that this program will undermine the public schools and not be successful at better educating some low-income students, then we will know, will we not? If we allow the District to experiment with school choice, as other communities are beginning to do, we will be able to evaluate objective results.

The measures that Senator LIEBERMAN and I have offered over the years have provided a very stringent accountability and testing of the demonstration program so that this Congress is given a set of data with which to make an objective determination of whether it works or does not work.

I am not sure that it takes some fancy studies to figure out that there are problems in our public school system today, particularly in many inner-city areas, and that there are parents who are desperate for educational options for their children because they believe that the current system condemns them to a lifetime of inadequate educational preparation. Many families are worried that they are condemned to a lifetime of living in the conditions they are living in because educationally they will not have the tools to allow them to achieve a better standard of living for themselves and for their children. So this bill represents an extraordinarily modest attempt to experiment with the concept of school choice. I hope that this is something that my colleagues would take the time to examine to determine whether or not we should pursue this type of education reform.

I come from an area of Indiana—Fort Wayne, IN—that has successfully, for generations, operated parallel school systems. We have a vigorous public school system which we are proud of, we have a vigorous private Protestant system—it is a Lutheran school system—and we have a vigorous parochial, Catholic school system, all operating side by side. I contend, and I think the statistics prove, that all three of those systems are healthy and are vibrant and are successful because the competition among the three has caused all of them to try to do a better job. I do not know of anything in America, that provides better quality at a better price as a result of a monopoly, but I have thousands of examples of better quality products at a lower price because of competition. So many of our success stories have come about by people trying to do a little bit better than the person next door, or trying to do a little better than their competitor.

This bill acknowledges this truth about success and says that it is possible, as a result of competition, to provide better quality education. If any Senators can stand and argue that the public school system does not need some shakeup, some change, I think they have not been examining what is going on in our public schools. All you need to do is ask the parents or ask the students or make a visit.

I know the hold of the organized public school lobby is extraordinarily strong, but I think their arguments are becoming much harder to defend, and I hope we can at least provide this demonstration program. For that reason, I will be supporting the vote on cloture.

I thank my colleague from Connecticut for his articulating the many,

many reasons why we should go forward with this.

The PRESIDING OFFICER (Mr. ASHCROFT). The time of the Senator has expired.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield 5 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, the reason the Catholic and the private school in Indiana next to that public school is vibrant and successful is that we are leaving it alone. The duty of the Government toward public education is to support and finance it. The duty of the Government with respect to private education is to leave it alone. That is the fundamental.

When you say the question is, "Is the United States going to insist that the minority student not be given a choice?" That is not the question. The question is whether you and I, as Senators, are going to be able to choose public money for private endeavor. I never heard of such a thing. Is it a valid idea to allow children to attend private schools? That is a valid idea. They do it. I happen to come from public schools. I had a child in Woodrow Wilson public school and one at Cathedral private school. The validity is not a question. This crowd is wound up in pollster politics and new ideas. What nettles this particular Senator is why in the Lord's world we are not financing public education.

Public education is working, generally. There are many examples of where it needs repair, but I can give you many examples of the private schools that are more in need of repair. I wish we had time to debate it. But the point is, having dealt with that debate we had around here for 10 years about tuition tax credits, they are now trying to sneak in a voucher program of financing private education. That is the same crowd that wants to do away with the Department of Education. And when my distinguished colleague from Connecticut says we are not taking any money from the schools—that is true about the effect of this particular provision on District schools. But, overall, you are taking \$3 billion from public education and are about to try to give \$42 million to the private schools.

I hope we do kill this measure until we take this voucher cancer out. If it worked—I do not think it has any idea of working, but if it worked, you have started a multi-multibillion dollar program. If it worked in the District, come down to Charleston. I have a lot of good private schools down there, too. They will want financing and everything else. If vouchers work for the private schools, why not vouchers for the public schools? That is the one for new ideas—education reform. This is not education reform. Scholarship, progressive—saying it is so does not make it so.

I listen closely to the matter of the language and the persuasion used here. It was James Madison who said:

But what is government itself the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary.

In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place, oblige it to control itself.

And we are totally out of control.

We are talking about new ideas—anything—but throw money, start programs. We spent, for the last 15 years, \$200 billion more than we have taken in. It is not a question of balancing the budget; it is a question of paying for what you get. Social Security is paid for. Medicare is paid for. Education is not paid for. Defense is not paid for.

You do not want to pay the bills around here. You want to, willy-nilly, start off on a multibillion dollar program on an idea that we are against new ideas—come on.

Mr. President, today we vote on whether or not to create a new Federal program to pay for private school tuitions. I hope my colleagues will keep in mind our duty in the area of education. Our duty to the public is to support public schools and our duty to private schools is to leave them alone.

So far, this Congress has abandoned public education. I refer to the Labor, Health and Human Services, and Education appropriations bill, in which the House cuts education by more than \$3 billion. The cuts to federally assisted public schools in that bill average over \$1,700 per classroom across this country.

For example—and this is not the most extreme case—I have heard recently from a principal in Greenville, SC, at Sans Souci Elementary School. He has been principal at three other public schools that did not receive Federal chapter I money, and now he has taken on Sans Souci.

"Sans Souci" means "without care" in French, but that is not the case with this school. Over 80 percent of his children qualify for free lunch and 60 percent of the parents did not graduate from high school.

Mr. President, one-fifth of the budget at Sans Souci comes from the Federal chapter I program. We hear all the time that the Federal role is small—and it is on the average—but at the needier schools, particularly at the elementary level, the role is often much greater.

Of course, the principal tells me that these funds are absolutely necessary and effective. Last semester he used these funds to hire reading specialists for children who began first grade with no literacy whatsoever. In 4 months, these children were reading 60 words and writing grammatical sentences in three-sentence groups. Furthermore, these funds have lowered average class size in his school and allowed him to

boost the advanced training for his teachers. I would add that these are exactly the services this Congress would cut in Washington, D.C. We will lose basic reading and math services for an estimated 3,000 children.

But, while this Congress proposes cutting services for the majority of the children at public schools, the stance toward private education has been the opposite. The Speaker himself held up funding for our Nation's capitol for 4 months to get a new, fully funded Federal program for private schools in the Washington area. Not one Senate conferee of either party supported this House provision. Chairman HATFIELD, Chairman JEFFORDS, Senator CAMPBELL, Senator KOHL, and Senator INOUE were in opposition. But, through the direct intervention of the Speaker, the House would not budge until the Senate took the whole \$42 million 5-year authorization, plus full funding of \$5 million for the first year on the D.C. appropriations bill. Thus, while we are supported to cut schools like Sans Souci, in Greenville, SC, we are supposed to initiate funding for St. Albans and Sidwell Friends.

I have admissions information for St. Albans, for those who are interested. The tuition is \$13,322 for day students and \$18,856 for boarding students, but the deadline has already passed to apply for next fall. The brochure notes that students are admitted "on the basis of entrance tests, academic promise, previous record, and recommendations."

So if your child cannot yet show academic promise—maybe he or she will prove it at public school—keep your \$13,000. If your child does not compete well with other children on standardized tests, find another school. If your child has a previous record with spots—maybe due to emotional stress from a divorce or to a learning disability—pay your tuition taxes, but take your child somewhere else. But if your child is uniformly bright, spotless, and promising the school may send a letter of invitation in mid-March.

Mr. President, the duties and privileges of citizenship in this country do not require a letter of invitation. That is why, from Thomas Jefferson, to Horace Mann, to Martin Luther King and Lyndon Johnson, we have developed a system that admits all children. So Sans Souci must let in all children, and St. Albans can pick and choose.

Of course, not all private schools are as expensive as St. Albans. In fact, only 7 of the 51 private schools in Washington, DC have tuitions in the range of vouchers provided by this bill. And six of these seven schools are sectarian, religious schools. Mr. President, we can argue about what the current Supreme Court says about Federal entanglement with religion, but if six of the seven available schools are religious, there is going to be entanglement. Furthermore, there will be Government intervention in the independent schools.

This is not a theoretical prediction—there is a track record. In 1989, the Bush administration published a report on educational choice in Europe—it was a prochoice document, with an enthusiastic introduction by Secretary Lauro Cavazos. But when you get to page 210, in the conclusion, you will find the following:

Finally, this survey brings confirming evidence to several conflicting positions in the controversies over public funding for non-public schools. For those who believe strongly in religious schooling and fear that Government influence will come with public funding, reason exists for their concern. Catholic or Protestant schools in each of the nations studied have increasingly been assimilated to the assumptions and guiding values of public schooling.

Mr. President, that is from the Bush administration. If you value the independence of the religious schools, if you do not want entanglement, the real-world experience with public funding says "watch out."

Similarly, with respect to social division:

For those who fear that public support for parent choice will result in race and class segregation and unequal opportunities, the survey provides confirming evidence.

That is the studied review from a little more than 6 years ago.

Since that time, we also have a program in Milwaukee, WI. We have two private schools that have just shut down there in the last month—one with the director apparently involved in drugs. He reported that he was teaching voucher children and non-voucher children, but it turned out that all the children were on taxpayer vouchers. Representative Polly Williams, who wrote the Milwaukee voucher program, is calling for regulation of the private schools. But the program is moving in the other direction. It is expanding, and with less and less oversight or restriction. After 5 years of yearly evaluations showed no educational progress, the legislature has eliminated funding for further evaluation, reportedly due to political pressure. The legislature has eliminated the requirement that schools rely partly on privately paying students instead of only on Government vouchers. And, the courts are holding up the expansion due to the threat of religious entanglement.

Mr. President, this is not the fate we want for public schools. We hear this cry for accountability, accountability, but in Milwaukee we have gone from worrying over student achievement to worrying over whether they will have a school.

And, while these school closings get the most attention, the real story is that attention and support is drawn away from improving the public schools that educate the vast majority of America's children. This Senate should reconsider its proposals to cut public education and to start taxpayer funding of private schools. I urge my colleagues to start getting back on the right track by voting against cloture on this D.C. voucher program.

Mr. President, I ask unanimous consent to have printed in the RECORD an article by Al Shanker, that recently appeared in the New York Times, "Risky Business."

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

RISKY BUSINESS

(By Albert Shanker, President, American Federation of Teachers)

How can we improve U.S. education? One answer that gets a lot of applause is to introduce some form of private enterprise. Some people call for vouchers—using public money to pay for children to attend private, and largely unregulated, schools. Others tout charter schools, which are set up under state law to be independent of state and local control though they are funded by public money. Either way, supporters say, we would bypass the regulation that is strangling education. And we'd create competition among schools, causing excellent schools to flourish, good, new schools to spring up, and bad schools to close—just the way it happens in the business world.

All this sounds good, but voucher programs are rare and charter school legislation is relatively new. So we haven't had a chance to test these confident assertions against real-life examples of how the market works. Now, though, we are beginning to get some striking evidence about the down side of market schools.

In Los Angeles, a charter school for troubled teenagers was closed last year by the district. According to stories in the *Los Angeles Times*, district funds were used to lease a \$39,000 sports car for the principal and pay for his private bodyguard. Expensive furniture was purchased for the administrative floors, and a "secret retreat" was held to the tune of \$7,000. The district started investigating the school's finances when an auditor found a discrepancy between the number of students the school was claiming—and receiving payment for—and the number that appeared on the rolls. By the time the school closed, four teachers were left to reach more than 200 students, and there was \$1 million worth of unpaid bills. The school had a board of directors, but its members apparently did not pay much attention to how things were going with the students—or how the school district's money was being spent.

In Milwaukee, two schools in its voucher program for low-income students recently shut their doors, and, as I write, two more are in danger of closing. Competition? No, poor financial management, according to stories in the *Milwaukee Journal-Sentinel*. The principal at one of the failed schools was charged with passing \$47,000 worth of bad checks. The other school ran out of funds and was reportedly unable to pay its teachers for several weeks. The financial problems in all four schools, three of which were new this year, arose when they enrolled fewer students than they had counted on. An official in the state education department said that administrators of the new voucher schools could have used training in financial procedures and school administration but that legislation governing these schools did not permit his department to offer it.

No one should be surprised. These charter and voucher schools are the educational equivalent of small businesses. Many of them are new, and everybody knows that the failure rate for small businesses over the first several years is very high. (According to the Small Business Administration, 53 percent of small businesses fail within 5 years of starting up, 79 percent by the end of 10 years.) Failure is usually related to what has trou-

bled these schools—financial problems and, often, lack of experience in running a business.

The difference is that when a small business fails, it's the owners who pick up the tab. When a voucher or charter school goes out of business, it is the taxpayers' money that is thrown away. But the chief victims are the students; they are the ones who lose school time that cannot be replaced. John Witte, the evaluator for the Milwaukee voucher project, put it this way when a school closed during the first year of the experiment:

There are those who would argue that the failure of that school is to be expected in a market system of education. Whether one believes that that expectation outweighs the fact that approximately 150 children essentially lost a year's education is a value issue that we cannot resolve. Whatever one's values are, the price was high for those families involved.

The costs and implications of charter and voucher school failure do not stop here. Where do students go when their school has shut its doors? Must taxpayers also spend money to keep public school spaces for youngsters in voucher and charter schools in case there are school closings? If not, would we put them in classes that might already be filled to overflowing? Or send them to a school with available space, no matter where the school was located? Or should we make them wait in line until the following year—the way voucher and charter schools would do?

The people who want us to embrace vouchers and charter schools pretend that doing so is as easy as saying "free enterprise." The failures in Los Angeles and Milwaukee remind us that these ventures are risky—and that all the risk falls on people who have no influence over the outcome.

Mr. HOLLINGS. Mr. President, I thank the distinguished Senator from Washington for yielding me the time, and I reserve the remainder of our time.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield to the Senator from Rhode Island 5 minutes.

Mr. PELL. I thank the Senator from Washington.

Mr. President, I oppose the conference report on the District of Columbia appropriations Bill. I do so, however, with profound respect for Senator JEFFORDS, the chairman of the D.C. Appropriations Subcommittee, and the hard work he has devoted to this legislation. Far more often than not, Senator JEFFORDS and I are on the same side of the issue when it comes to education. Therefore, it is with deep regret that I find myself on the opposite side in this case.

Philosophically, I am drawn to the concept of choice. It is one of the precepts upon which the Pell Grant Program is based. As I see it, however, the problem is not only when but also how we move toward greater choice in education. My difficulty with this provision is that it comes at the wrong time and does it in the wrong way.

With current Federal education funding so much at risk and with Federal education programs suffering such a disproportionate share of cutbacks, I

do not believe it is prudent that we move in this direction at this particular time. Given our scarce Federal resources, I am of the mind that they should continue to be directed primarily to the public schools that educate almost 90 percent of our Nation's elementary and secondary school children.

Further, private schools today choose which students they want to educate. They are not required to accept students who are difficult to teach in terms of behavior or educational deficiencies. They operate in a manner that is wholly different from the rules under which the public schools are required to function. In the absence of Federal funding, this may be acceptable. However, if they are to become the beneficiaries of a federally supported scholarship or voucher program as proposed in this legislation, I believe we should expect more of our private schools.

It is unfortunate, indeed, that there is no guarantee in this bill that students with disabilities, students with discipline problems, students with language deficiencies, or homeless students will have access to private school education. Private schools could continue to choose not to accept them. Thus, these students could well be left in the public schools, and the public schools, in turn, left with even less resources to devote to their education. It is a choice program that leaves public education in the lurch, and I fear it would set a very unfortunate precedent.

At this particularly critical time, I believe it very important that we continue to devote our resources primarily to the public schools charged with the responsibility of educating all children, regardless of their disadvantage, their deficiencies, or their disability. In that vein, I would urge my colleagues to join me in opposing this conference report.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. How much time remains on both sides?

The PRESIDING OFFICER. There are 15 minutes and 55 seconds on the Senator's side and the opposition has 10 minutes.

Mrs. MURRAY. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

Mr. President, I rise as a Senator who, as a teacher for 20 years, spends time about every 2½ or 3 weeks in a school in Minnesota. First my premise. I think education is the foundation of it all. I think it is the key to welfare reform. I think it is the key to reducing poverty. I think it is the key to a stable middle class. I think it is the key to helping us decrease violence in our communities. I think it is the key to successful economic performance of

our country, and I think it is the key to a functioning democracy.

The second point I wish to make. I heard my good friend from Indiana—and he is a good friend—talk about the need for shakeup. I think education needs to be shaken up as well, although I wish to start out with one point, and I am not talking about any of my colleagues here. I do not mean this personally. But I am absolutely convinced, having spent a lot of time in our schools, that some of the harshest critics of public education could not last 1 hour in the very classrooms they condemn.

So now my point. You are right; education needs to be shaken up. We need to make sure that, first of all, children at birth have a chance, which means that every woman expecting a child has to have a diet rich in vitamins, minerals, and protein, and we cut nutrition programs, but somehow a voucher plan is going to help. Education needs to be shaken up. That is right. Children need to be ready to learn when they come to elementary school, but you know what. Some of the very folks who are talking about the voucher plan—not all—want to cut the Head Start Program. They do not want to fund adequate child care. We have children 2 and 3 years of age, as I see with my own grandchildren, that every 15 seconds are interested in something new; they are exploring all the unnamed magic of the world, but what we are doing, rather than igniting that spark of learning, we are pouring cold water on that spark of learning. We ought to make a commitment to these children when they are young, but we do not.

That would be shaking up public education. It is hard to teach 38 kids in elementary school. We need to have class sizes much less. But we have not dug into our pockets to make that commitment of resources. When kids go to school and the buildings are dilapidated, the toilets do not work, and the heating does not work, it is hard to believe that as a matter of fact the adults care very much about you, but we have not committed the resources to dealing with this dreary, dilapidated physical infrastructure.

Education needs to be shaken up. There is no question about it. But the problem is the context of this plan. We had a continuing resolution in the Chamber a couple of months ago—we are going to come back to it again—outrageous, a 20-percent cut in title I money for kids with special problems and vocational education and Head Start, and at the same time we are talking about starting on a voucher plan.

I said to my colleagues before, I say it again, if you can marshal the evidence that shows me that we have made a commitment to children in this country, we have made a commitment to doing something positive about the concerns and circumstances of their lives, we have made a commitment to

public education, we have made the investment and then that does not work, I would be the first to come to the floor and say let us try something different.

We have not made that commitment at all, in which case this makes absolutely no sense. There is going to be a further reduction of funds, and that means what this gets to be is a zero-sum game. I say this with sadness to my colleague. It is less money for education for mathematics, for history, for English, for language. It is less money for public education for support services for students. It is less money for public education to recruit and train teachers. It is less money for public education to reduce the violence in our schools so that we can move forward to safer schools, in which case this plan is not a step forward. It is a great leap sideways. As a matter of fact, it is a great leap backward.

That is what this is all about. We say to D.C. we will put a rider on your appropriations bill, telling them this is the money and you have to spend it for private vouchers. That is unacceptable. It is unacceptable because—I do not care how many speeches are given in the Senate Chamber—we have not backed up the photo opportunities we all like to have with children. We have not backed up all of our discussion about how the children are the future with an investment in resources for public education so every child will have the same chance to reach his or her potential. We have not done that. So do not talk to me about how a voucher plan is the answer when we have not even made a commitment to the answer.

I yield the floor.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield 5 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, the Senator from Virginia wanted 1 minute, and I would be glad to yield to him.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. JEFFORDS. Mr. President, I yield the Senator from Virginia 2 minutes.

Mr. WARNER. Mr. President, I first thank my distinguished colleague from Rhode Island and the manager.

I wish to assure the manager that I am going to support him on the cloture motion, although I feel very strongly about an issue which I will address momentarily. I think it is imperative that the District of Columbia be given its budget. I support the various provisions of this measure.

But, Mr. President, regrettably, certain elements of the government in the city, namely, the D.C. Taxicab Commission, voted on February 6 of this year to terminate a longstanding taxicab reciprocity agreement between the

District of Columbia and areas in northern Virginia and in Maryland.

Mr. President, this affects the way we do business here because we, the Congress of the United States, are very dependent on the best means, safest means, most cost-efficient means of transportation for the many people who visit not only Capitol Hill, but come here as tourists and the like. This is an effort by the District of Columbia to disrupt an agreement that essentially has been operating and operating for the benefit of all for 50 years.

Mr. President, I am going to fight unrelentingly. I would seize this vehicle, if it were possible, this legislative vehicle to make sure we continue the practice that has served this greater metropolitan area for years.

As I said, on February 6, 1996, the D.C. Taxicab Commission voted unanimously to terminate the longstanding taxicab reciprocity agreement between the District of Columbia and Arlington County, Fairfax County, the city of Alexandria, and Montgomery County, MD.

The reciprocity agreement permits taxicabs properly registered in their home county to: Transport persons from their county of origin into the District and discharge passengers; to pick up passengers in the District and take them to their home county in response to a call to a dispatcher at the home county; to transport passengers in response to a prearranged trip, and immediately following the termination of a trip.

The D.C. Taxicab Commission's action will prohibit all taxicabs not licensed in the District from providing taxicab and ground transportation service of any type which physically originates in the District.

Mr. President, ending taxicab reciprocity is highly contradictory of the metropolitan area's long record of cooperation on transportation matters. The unilateral cancellation of reciprocity could well begin a chain of events that could lead to increased fares in every jurisdiction, and it could easily result in District taxicabs being unable to pick up fares throughout the rest of the metropolitan area.

Passengers could find themselves unable to rely upon consistent, dependable service from carriers with whom they have grown accustomed. Instead, they could be passed like batons from carrier to carrier because of artificial and unnecessary barriers. This could have a particularly harsh effect on disabled and elderly citizens who rely on local taxi service to commute to work in the District, as well as contractual agreements by D.C. firms on behalf of their Virginia resident employees.

I understand that the conference report on H.R. 2546 cannot be amended. Indeed, at this point, we do not know if cloture will succeed.

My thoughts are that this is meant to be a strong advisory to the District

government and the Taxicab Commission to closely reconsider their decision on revoking reciprocity.

As I understand it, the commission decision must first be transmitted to the District corporation counsel for proposed rulemaking, and that action has not yet happened. There is still time to reconsider a decision which perhaps was made without fully considering what could be a strong negative impact on their own services.

I fear the D.C. Taxicab Commission may have fired a shot, as they say in the Navy, without fully considering potential retaliation. If indeed Virginia taxicabs are prohibited from dropping off and picking up fares within the District, what is to prevent Virginia from prohibiting D.C. taxi service at such major hubs as the Pentagon and National and Dulles Airports.

So, Mr. President, let this be a warning shot across the bow. While this conference report cannot be amended, we will have a continuing resolution in the near future which would be an appropriate vehicle for a funding prohibition on the enforcement of the reciprocity repeal.

I would prefer not to take such action. I do not like to interfere with D.C. home rule. However, we are dealing with an ill-conceived policy which would have a detrimental effect on my constituents and metropolitan transportation services as a whole.

I look forward to meeting with District officials in the near future as well as other Members of the local congressional delegation. Our goal should be the provision of the best transportation services available for each of our municipalities, but working together with a strong sense of cooperation for the common good.

Mr. President, I thank the managers.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, last fall the Senate approved a version of the D.C. appropriations bill with no trouble. We passed it here in the Senate with no difficulty. Later, the House passed its version, but in its version there was the creation of a new Federal spending program to provide private school vouchers to a select group of students. This conference report which we are dealing with today creates the first federally funded private school voucher program in the United States of America.

The Senate conferees, Republicans and the Democrats from the Senate, were united in their opposition to the House private school voucher provision. The House would not yield, and for months an agreement could not be reached. The Senate bill did not include, as I say, anything to do with vouchers. We never had an opportunity to address it. There had been no hearings on this measure in the Senate. But the House has said, take this new Federal spending program with all its flaws or the District of Columbia will not receive its Federal payments.

This appropriations bill, I submit, should not be used to force the Senate to endorse the creation of a new Federal spending program with dubious merit. It is no accident, it seems to me, Mr. President, that this new voucher program has been attached to the D.C. appropriations bill. None of us have a constituency. None of us are responsible to the District of Columbia voters. They cannot punish us or reward us in any fashion. We are unaccountable for our actions.

Under this proposal, the parents do not choose the school that their children will attend. The private schools select the children who are going to attend those schools. This is not a luxury that our public schools have. Our public schools cannot pick and choose among the students. Public schools are committed to providing an education to all our children. They have to accept the child who comes to the school in the middle of the school year, the child who comes with disabilities, the child whose primary language is not English. They have to accept the child with disciplinary problems or the child with the low IQ.

Private schools do not have to accept any of those children and can reject any child who falls into the above categories—does not speak good English, does not have the adequate IQ, and so forth. In short, private schools have the ability to select the smartest, the least difficult students with the fewest challenges to overcome, those students with the greatest family support.

Jonathan Kozol, the Harvard-educated Rhodes scholar who is best known as a teacher, a civil rights worker, and the best-selling author of "Savage Inequalities," and more recently the good "Amazing Grace: The Lives of Children and the Conscience of a Nation," has been an outspoken critic of American education, particularly in our inner cities. Yet when asked about private school choice, this is what he had to say:

Choice doesn't do anything for poor children. It simply creates a system of triage that will enable the most fortunate to opt out and leave the larger numbers of the poorest and least sophisticated people in schools nobody willingly would choose.

There is a myth that poor schools somehow magically improve to meet the competition. Kozol says:

Contrary to myths, the poor schools do not magically improve to meet the competition, nor do they self-destruct. They linger on as the depositories for children everybody has fled.

The role of our schools has changed dramatically in the past three decades. Schools have taken on extraordinary new burdens. Today we are seeing youngsters with learning disabilities, youngsters who do not get enough to eat, youngsters born with drug or fetal alcohol problems, youngsters from totally shattered families. As a society, we expect that our schools will take in these children and help make their lives better through education.

I believe it is wrong to provide Federal dollars to private schools to enable them to skim the best students from the public schools and leave the public schools with the greatest challenges to deal with.

It is curious, it seems to me, Mr. President, that under the House appropriations bill, the District of Columbia will lose its \$13 million this year, \$13 million in title I and so forth programs, yet at the same time this report authorizes \$42 million over the next 5 years—\$5 million this year alone. So this is \$42 million over the next 5 years that, it seems to me, could far better be spent on improving our public schools in the District of Columbia, renovating the shabby buildings, upgrading the facilities, purchasing new books, installing computers and Internet connections, rewarding excellent teachers. All of these things that money could go for.

Mr. President, I would like to conclude by saying that in Milwaukee they have such an experiment. They have had it for 4 years.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CHAFEE. The results of that have not shown an improvement in those students who come from the low-income schools as opposed to those students who remained in the low-income schools.

This proposal permits taxpayer dollars to be used to pay for religious education. Even if this plan was approved by the House and Senate and signed by the President, it would be a long time before poor children in the District received these vouchers because this proposal would go straight to the courts.

On December 14, 1995, I received a letter opposing the voucher proposal from a group of local D.C. religious leaders who believe that providing taxpayer dollars to religious schools would damage their religious autonomy, and they agree that it would violate the first amendment. They argue:

Public funding will inevitably lead to regulation of religious schools, harmfully entangling the government in religious matters. Currently religious schools are free from government intrusion and may enroll and hire those of their own religion. This independence is important given that the mission of a religious school is to promote its faith in its pupils. The "scholarships" will threaten the schools' ability to operate in a fully sectarian manner.

Mr. President, I ask unanimous consent that the full text of the letter be printed in the RECORD. I also ask unanimous consent that another letter in opposition to the voucher proposal from the Baptist Joint Committee be printed in the RECORD.

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

(See exhibit 1.)

Mr. CHAFEE. Finally, Mr. President, on the issue of federally funded vouchers for religiously affiliated schools, I would like to quote Mr. GUNDERSON, the author of this proposal. On August 12, 1992, during a speech in the House

Chamber in opposition to a voucher amendment by Mr. ARMEY, Representative GUNDERSON said, "Choice which goes beyond public and private schools to include religious schools, I have to tell my colleagues, raises serious constitutional questions."

The underlying assumption of private school voucher plans is that public schools are doing a bad job and private schools are better. The advantage that private schools appear to have over public schools disappears when students of similar backgrounds are compared. Private school achievement measures at a much higher rate than public school achievement because private school students come from much more advantaged backgrounds with higher incomes and parents with higher levels of education.

In a report entitled "Fourth Year Milwaukee Parental Choice Program," researchers found that voucher students in private schools are not doing better in math and reading than low-income students who remained in the public schools. Another study by Bruce Fuller of the Harvard University graduate school of education called "Who Gains, Who Loses From School Choice: A Research Summary" reported that after the third year of the Milwaukee voucher experiment reading scores were essentially no different between choice students and similar low-income Milwaukee public school students.

In 1993, many of those who support forcing this voucher program on the District of Columbia opposed Goals 2000: the Educate America Act because, they argued, it lessened local control over education. Well, Mr. President, if anything lessens local control over education in the District of Columbia, it is this conference report. It has not been asked for by the D.C. school board, but Congress set up a special board and a new program for the District of Columbia.

Supporters of the voucher plan say the District of Columbia should provide choices to parents. They say the District of Columbia should have charter schools. They call for partnerships between city schools and the Smithsonian Institution. The truth is that the District of Columbia has all of these things. The District has public school choice. There is a charter school program at a school not six blocks from the Capitol. Down the street there is a middle school which has entered into a partnership with the Smithsonian. D.C. public schools are the only public schools in the area that provide an all-day kindergarten program, and every high school in the District is a magnet school.

Is there room for improvement? Of course there is, and I suggest that if those who put forth this plan were truly interested in improving the education of D.C. students, they would provide sorely needed additional resources to the public schools here. They would encourage the District of Columbia to look at schools and pro-

grams that are succeeding here and try to emulate that success.

I find it extraordinary that the 104th Congress, which is dedicated to local control and cutting spending, is seeking to enter into a brandnew spending program to micromanage a local school system.

I will vote against cloture, and I urge my colleagues to do so.

EXHIBIT 1

GUNDERSON'S "SCHOLARSHIPS" HURT RELIGION

As clergy of the District of Columbia and those committed to the principle of separation of church and state, we strongly oppose the "scholarships" provision, advanced by Congressman Steve Gunderson, in the D.C. Education Reform Proposal. These "scholarships" will funnel public dollars to parochial and other religious schools, thereby damaging their religious autonomy and violating the First Amendment of the U.S. Constitution.

Public funding will inevitably lead to regulation of religious schools, harmfully entangling the government in religious matters. Currently, religious schools are free from government intrusion and may enroll and hire only those of their own religion. This independence is important given that the mission of a religious school is to promote its faith in its pupils. The "scholarships" will threaten the schools' ability to operate in a fully sectarian manner.

Furthermore, under the U.S. Constitution's church-state separation provisions, government may not subsidize sectarian education. If tax dollars are funneled to religious denominations in the form of "scholarships," all citizens will be paying taxes to support religion. This intrinsically breaches our nation's heritage of religious freedom. Therefore, in the debate over the "scholarships," do not omit the principle of religious liberty from consideration.

Sincerely,

REV. CHARLES WORTHY,
*Pennsylvania Avenue
Baptist Church.*

RABBI FRED REINER,
Temple Sinai.

REV. KENNETH BURKE,
*E. Washington Heights
Baptist.*

REV. ELIEZER VALENTIN-
CASTANON,
*General Board of
Church and Society,
United Methodist
Church.*

BAPTIST JOINT COMMITTEE,
Washington, DC, December 13, 1995.

DEAR REPRESENTATIVE/SENATOR: The Baptist Joint Committee serves the below-listed Baptist groups on matters related to religious liberty and the separation of church and state. The Committee has consistently opposed efforts on the part of government to funnel tax dollars to teach religion, whether couched in terms of direct grants, voucher tax credits or "scholarships." Accordingly, we urge you to vote against any attempt to fund parochial schools in the District of Columbia Appropriations Bill.

Such funding mechanisms are unconstitutional. The Supreme Court has struck down virtually every form or direct financial aid to parochial schools at the elementary and secondary levels. Government should not be permitted to do indirectly what it is prohibited from doing directly.

It is also bad public policy. This kind of scheme is unfair, engenders unhealthy governmental regulation of religion, endangers public education, and may exacerbate class

divisions—creating welfare for the wealthy, while the needy continue to go wanting.

Finally, it violates core Baptist convictions that authentic religion must be wholly voluntary. Religion should be dependent for its support on the persuasive power of truth that it proclaims and not on the coercive power of the state. Utilizing the things of Caesar to finance the things of God is contrary to true religion. These principles apply full force to religious education.

Thank you for considering our views on this very important legislative initiative.

Yours very truly,

J. BRENT WALKER.

Mr. CHAFEE. Mr. President, I want to thank the manager of the bill.

Mrs. MURRAY. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. The Senator from Washington has 5 minutes. The Senator from Vermont has 8 minutes 21 seconds.

Mrs. MURRAY. I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask my colleagues to join us in assuring that we can go back to the table and pass an appropriate D.C. appropriations bill. There is inappropriate language in this bill on Davis-Bacon, there is inappropriate language in here that puts conditions on a woman's right to choose, and we have heard much over the last hour and a half about the inappropriate language on vouchers that is included in this bill.

There have been many eloquent statements by my colleagues in opposition to the vouchers, but let us stop for a minute and ask, who wins under a voucher system? Do the parents? Do they really get a choice? Not really, Mr. President. The private school administrators will have more of a choice in students that they will be able to select for their private schools, but parents, unless they have the money that they will need, will truly not have a choice. And they will not have a choice if school administrators say "no" to their child.

Will the students win under a voucher system? There is no evidence that students will win. In fact, in Milwaukee, which has had a voucher program for 5 years, test scores of voucher students did not rise. There is no evidence that students do better.

Will the public schools win? Hardly. We have heard many arguments about the money that is currently out there that will be taken from our public school system that will not be used for every child in America to assure that we continue to make sure that every child has the opportunity to get a good education in this country. Public schools will clearly not be a winner.

Will private schools be a winner under a voucher system? Hardly. Private schools will have taxpayer dollars coming into their schools. They will then have to respond to taxpayers as to how they spend their money. They will have oversight and they will have to respond to all of us who pay our taxes

for vouchers if they decide to buy equipment or supplies. They will have to be responsive to taxpayers because it will be taxpayers' money that they are using. I hardly think that the private schools will win under this voucher system.

Will the taxpayers win? No, they will not. It is merely moving money around.

If we were to pass a voucher system today, we would have to write a check for every student who is currently in a private school, in terms of a voucher. That will amount to billions of dollars. If we do it in a small district like the District of Columbia, just take a look at the number of students who are currently in private schools. If a voucher system passes, do the students who are currently enrolled in private school get a check or do new students coming in get those checks?

The PRESIDING OFFICER. The Senator's 3 minutes has expired.

Mrs. MURRAY. Mr. President, I yield myself 30 additional seconds.

Under the voucher system, no one wins. I think that we need to step back and pass an appropriate D.C. bill and remove these riders.

I retain the remainder of my time.

Mr. JEFFORDS. I yield myself 6 minutes and 21 seconds.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Thank you, Mr. President. What has happened today is what I had hoped would not happen. It has taken us some 90 days to get here to bring forward a proposition to this body which would keep us out of the national debate over the use of the voucher system. This is not the time or place for that. We have a city which needs help, and we have to give it help.

So what, in my mind, might have started out as a torpedo aimed at the midsection of public education in the District of Columbia or the country, now has turned into a small shot across the bow, and there is even an opportunity to divert all the powder resulting from firing that shot.

That is where we are right now. So let us not make this into a big national issue. Let us wait for that some other day, but let us take care of the District of Columbia school system.

Let me clarify some statements here that are confusing. First of all, there are no D.C. public school funds being used at all. This is a separately appropriated fund.

Also, the District of Columbia sits in an unusual situation, so it is hard for us to do anything as a demonstration project in the District of Columbia without giving it some Federal implications. We have to keep that in mind.

What I wanted to see done, and what we have done in this bill, is to make sure that this is a locally controlled option.

There is a nonprofit corporation set up to receive the funds. There will be two different types of vouchers that will be allowed, or scholarships, if you

want to call them that. One is for remedial help and one is for tuition scholarships. So we do not know how much is going to be spent on each. There is only \$5 million, and there could be private funds to help even more.

Also, the private board that is set up will be awarding each scholarship, and under the mandate of this bill, they must ensure, to the best they can, that there is a diversity of academic achievement levels represented among the students that receive the scholarships. So the scholarship board will have control over that.

The other issue that was brought up is about the ability to discriminate. The schools cannot discriminate and, again, the board is required to make sure that does not happen. The bill specifically requires that the civil rights laws be carried out and that they will make sure, with respect to the handicapped, that section 504 of the Rehabilitation Act is not violated.

Finally, I believe, and believe strongly, that when the final analysis is made, there will be vouchers, but the pressures will not be for the tuition vouchers—hopefully, there will be private funds to satisfy that demand—but there will be so much need for vouchers for remedial help for these kids. We have some 20,000 young people in this city who are in need of remedial help.

My belief is there will be such a strong demand on the District Council to see that after-school vouchers are distributed to those in need, and, hopefully, there will be private funds for tuition scholarships so that almost all of the Federal funds will be used for remedial help.

Let us not make this into something it is not. It is not an attempt to try and establish a mandated Federal program. This is a local option for the city. I have no problem with sending a message to the public school system that they better get going or else they may see a larger program.

It has been 90 days. We have gone through option after option. We have had two agreements that fell apart, and we finally reached this one, which no one who is familiar with it is happy with, which is probably a pretty good solution. The scholarship program is not as far as some would like to go toward trying to establish a voucher system, and it is too far, obviously, some say, because it is a nose under the tent.

So I urge my colleagues to take a look at this. Do not get swallowed up in trying to make this into an argument about a national mandate. Let us take care of the kids in Washington, DC. Let us worry about the school system here and the wonderful things that this bill will help us do to make sure we can change this city's educational system from one which is an embarrassment to one which we can be proud of again, proud as we were in the past. That is my goal, and I am sure the goal of all here.

Let us not scuttle this bill, because if we do not pass it, then we have to start

all over again in the process of trying to see what we can come up with as a compromise.

I urge my colleagues to vote for closure, and let us go on and take care of the city, which is in desperate need of funds right now. They are about ready to go bankrupt. I cannot see us taking another 30, 60, or 90 days trying to find an answer. Let us accept this one for what it is, not for what you fear it may be or for what you may want it to be.

Mrs. MURRAY. How much time remains?

The PRESIDING OFFICER. The Chair informs the Senator from Washington that 1 minute, 43 seconds remains on her side, and the Senator from Vermont controls 3 minutes.

Mr. DODD. Mr. President, I rise today in strong opposition to the private school voucher plan included in the conference report on the D.C. appropriations bill.

At a time when our public education system is suffering under the weight of draconian cuts in Federal education programs, diverting precious resources to private and parochial schools is the wrong message to send to our Nation's children.

This year alone, the Congress has already cut \$3.1 billion from education programs—the largest cut in education funding in American history. This is money that would help children learn new skills, raise test scores, provide money for college education, and prevent violence and drug use in our schools.

We should not be taking scarce Federal funds away from public school students. Instead we should take this opportunity to reaffirm our commitment to reforming our public education system, which educates 88 percent of American students. But, this bill would tell our public schools and the vast majority of our Nation's children: "We can't improve our public schools, so let's not even try." Well, I reject that argument.

Our universal public education system is one of the very cornerstones of our Nation, our democracy, and our culture. And this voucher proposal would fundamentally undermine this ideal by spending Federal taxpayer dollars for students to attend private and religious schools that are unaccountable to the public.

Instituting a voucher system in Washington, DC, would also seriously harm most of Washington's low- to moderate-income families, who depend on public schools for their children's education.

Supporters claim that these vouchers will allow D.C. schoolchildren to attend better schools. But the fact of the matter is, the vast majority of children in Washington, particularly those who are the poorest and who need the most help, will remain in public schools.

For thousands of students and their parents, Federal resources that are desperately needed to repair D.C.'s ailing schools, provide counselors to deal

with the many social problems that face Washington's young people, and equip teachers with the tools they need to educate their students will be diverted to the few who are lucky to attend private and parochial schools.

Supporters claim that this voucher proposal will give parents a choice on where their children go to school. But, in fact, these vouchers will not fully open the doors to private education, because private and parochial schools will be under no obligation to accept all applicants.

Private schools will pick and choose the best students; and the ones with the lowest test scores, the ones with learning disabilities and discipline problems, and the ones for whom a \$1,500 to \$3,000 voucher will not begin to pay the, on average, \$10,000 tuition for private schools in the District will be the ones left behind.

In addition, these proposals raise serious constitutional questions about using Federal money to pay tuition at religious schools. No Federal or State court has ever upheld the use of vouchers for parochial schools, and I seriously doubt that this bill will be any different.

Supporters claim that if this proposal passes, Washington DC, would serve as an important testing ground for the voucher program. But why test a program that doesn't work and that the American people don't want? Considering the fact that Federal resources are already strained, we shouldn't be using the District of Columbia appropriations bill to waste taxpayer money on bad ideas.

Washington, DC, residents, like those in California, Colorado, and Oregon have voted down vouchers in various ballot initiatives. Electoral rejection of these programs may be due in large part to the fact that private school vouchers don't live up to their advanced billing. In Milwaukee, where the voucher program has been in place for 5 years, test scores of students, who utilized vouchers, failed to improve.

I understand the importance and relevance of private and parochial education. I am a product of St. Thomas the Apostle, a Jesuit boys school. And, I am very proud that my parents made the decision to send me there. But, I am also aware that when making that decision they weren't expecting to be subsidized by the Federal Government. They understood the importance of our public education system and that the Federal Government should do all it can to support our public schools.

I have long believed that education should be made our No. 1 priority in Congress. A strong education is critical to forming productive, thoughtful, and tolerant citizens.

I have fought to reform our public schools in the past, and I will continue to do so in the future. However, I strongly believe that sending taxpayer dollars to private and parochial institutions will drain already meager Federal resources and undermine serious educational reform efforts.

I hope my colleagues will join me in opposing private school vouchers and work to support a bill that provides real school improvement for the District of Columbia's schools.

Mrs. MURRAY. Mr. President, I yield 1 minute to the Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I thank the Senator from Washington for yielding to me.

Mr. President, I rise to register my opposition to the school voucher provision included in the pending measure. The conference report to the fiscal year 1996 D.C. appropriations bill contains language that would establish a scholarship program for low-income students to attend private and religious schools or attend after-school programs in religious, private, or public institutions.

As a former teacher and public school principal, my chief concern is that this measure would, for the first time, permit Federal tax dollars to be used to subsidize private or religious education. This provision represents the proverbial camel's nose under the tent of public funding, which could lead to the diversion of additional Federal moneys toward private instruction. Worse, it would encourage States and localities to follow the Federal example, with disastrous consequences for public education.

There are no quick fixes for what ails our system of learning. It takes time, energy, and resources to construct and maintain school buildings, to develop appropriate curricula, to hire and train effective teachers, to encourage parental involvement, to make our schools safe from crime. And it takes time, energy, and resources to ensure that our schools provide our children with the skills and knowledge necessary to respond to the economic, scientific, and technological challenges that will confront them upon graduation. Nevertheless, speaking from my background as an educator, I know that given adequate attention and resources, public schools can and do work.

I have no quarrel with private or religious schools. In many cases, they provide a quality education for thousands of young people; in fact, we have many fine private institutions of our own in Hawaii. But private schools are by nature highly selective. They may choose their students on virtually any basis one could care to name, including income, race, ethnicity, gender, religion, aptitude, behavior, even physical or emotional disability. This exclusiveness guarantees that only a small fraction of school-age children will be able to matriculate in private schools; as a consequence, the vast majority of children will continue to be served by public schools.

Knowing this, is it our place to take away precious funds from the many who attend public schools in order to assist the few who attend private schools? Is this an appropriate, fair, or

wise use of tax dollars? How many public schoolteachers could we hire for \$42 million, the amount that this program will cost over the next 5 years? How many textbooks could we give to inner-city children? How many school lunches could we offer undernourished kids? How many personal computers could we purchase for classrooms? Most importantly, what would be the long-term cost of this provision to public instruction, if this provision opens the door to additional raids on the Federal Treasury in the name of school choice?

Mr. President, vouchers are the snake oil in the pharmacology of American education, a quick fix for an imagined ailment. They expose a lack of will and imagination in addressing the real education challenges facing our Nation, challenges which millions of teachers, students, and parents could overcome in public schools around the country, if only they had the support we and other policymakers could give them. I urge my colleagues to reject this approach, and instead work hard to improve what we already have, a democratic system of public education that is funded by all citizens for the benefit of all Americans.

I urge my colleagues to vote against the motion to invoke cloture on this measure.

Mr. KOHL. Mr. President, I would like to ask the Senator from Vermont about a provision in the conference report that concerns me. That is section 2353(c), which requires that \$1.5 million of funds available to the board of education be used to develop new management and data systems. I am informed that the amount required to be used for such purpose exceeds the amount of the board's budget, which, as I understand it, would effectively shut down the District's board of education. Although minority conferees were not permitted to participate in the drafting of much of the conference agreement, I can only speculate that this was not the intent of the majority conferees. I would therefore ask the manager to explain this apparent discrepancy?

Mr. JEFFORDS. Mr. President, the Senator from Wisconsin has raised a problem that came to my attention only after the conference had concluded, and in fact after the House of Representatives had acted on the conference report.

When this provision was agreed to, and it was included in the draft of the education title of the bill that was shared with conferees and others on December 14, 1995, the budget for the board of education was more than \$1.8 million. However, I am now informed that at the end of December 1995 the board proposed reductions in its own budget and that the council reduced the budget and staffing of the board of education that will be recommended to the control board and then to the Congress. I did not know of these actions until February 1, 1996, the day after the House adopted.

It is not this Senator's intention to shut down the board of education. It is my intention, and I believe of the other conferees, that the board ensure that the management and financial information systems of the public school system be modernized and upgraded so that the implementation of the reforms we propose can be monitored, both by the board and by others.

If we do not have accurate and timely information we will not be able to achieve the results the kids need.

Mr. President, I would suggest to the Senator that since this will become a part of the statute, that I will seek a legislative remedy at our earliest opportunity. Alternatively, I would suggest to city officials that, since it is not our intent that the board cease operation, a reprogramming from other sources could be effected so that the operations of the board can continue. Such reprogramming should be at levels approved by the council and control authority.

I hope that this explanation clarifies that our conferees are intent on this matter.

Mr. KOHL. I thank the Senator and yield the floor.

Mr. DOMENICI. Mr. President, I rise in support of the conference agreement accompanying H.R. 2546, the fiscal year 1996 District of Columbia appropriations bill.

The conference agreement provides Federal payments to the District of Columbia totaling \$727 million. The bill provides \$660 million for the Federal payment, \$52.1 million as the Federal contribution to certain retirement funds, and just under \$15 million for a Federal contribution to a new education initiative.

The bill is at the subcommittee's revised 602(b) allocation for both budget authority and outlays.

I commend the distinguished subcommittee chairman and ranking member for their diligent work on this bill over these many months.

I urge my colleagues to support the conference agreement.

Mr. President, I ask unanimous consent that a table displaying the budget committee scoring of the final bill be printed in the RECORD.

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

D.C. SUBCOMMITTEE, SPENDING TOTALS—CONFERENCE REPORT

(Fiscal year 1996, dollars in millions)

Category	Budget authority	Outlays
Nondefense discretionary:		
Outlays from prior-year BA and other actions completed		
H.R. 2546, conference report	\$727	\$727
Scorekeeping adjustment		
Adjusted bill total	727	727
Senate Subcommittee 602(b) allocation:		
Nondefense discretionary	727	727
Adjusted bill total compared to Senate Subcommittee 602(b) allocation:		
Nondefense discretionary		

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

Ms. MOSELEY-BRAUN. Mr. President, given the District of Columbia's financial problems, it is unconscionable that 5 months into the fiscal year, Congress has yet to approve a D.C. appropriations bill. It is equally unconscionable that months after an agreement was reached on the amount of money Congress would appropriate for the District, when the Senate is at long last scheduled to vote on the D.C. appropriations bill, that the bill contains controversial and seriously flawed public policy riders.

The bill contains provisions that tie the hands of the D.C. government with regard to abortion services, and that trample the rights of workers. This bill also creates a federally funded, private-school voucher program. This bill takes \$5 million away from the D.C. public schools this year and gives it to private schools.

Mr. President, this bill is an abrogation of our responsibility as public officials to support public education. It is public education that has, throughout history, made it possible for generations of Americans to blur class and wealth divisions. It is public education that has given women and minorities voices in our democracy, and it is public education that has created a strong middle class. It is on the foundation of quality public education that rests the hopes and opportunities embodied in the American Dream.

The Washington Post has recently published articles describing textbook shortages, unsanitary bathrooms, and other problems with the D.C. public schools.

The legislation before us today should address these problems. Congress should work to improve the quality of public education in this country and in the District. Instead, this bill calls on the Federal Government to walk away from public education.

The House-passed Labor-HHS-Education appropriations bill cuts Federal support for public education by more than \$3 billion—the biggest cut in history. Under that bill, the District loses \$8.5 million. Under the bill before us today, the D.C. public school system loses another \$5 million this year, and \$42 million over 5 years.

There are 80,000 students enrolled in the D.C. public schools. Fifty-seven percent of them are classified as "low-income." This bill buys tuition vouchers for 1,666 of these low-income students. This bill buys vouchers for 3.6 percent of low-income D.C. students—or 2 percent of the total number of students attending D.C. public schools.

What about the other 98 percent?

Mr. President, public schools receive Federal funds based on attendance. Under this bill, every child that accepts a tuition voucher, leaves the public school system, and attends a private school, drains funds out of the public school system. This bill essentially pays private schools to take money away from public schools.

In addition, for every 100 students, D.C. schools get a resource teacher—

like a reading or science specialist. Every child that leaves the public school system depletes the base of students that makes these specialists available.

Under this bill, schools will have less resources for the 98 percent of children who will remain in the public schools; there will be fewer teachers; and the public school children will have less of a chance of receiving a quality education.

Mr. President, I hope that the day will come when every one of our public schools is among the best in the world, and when we are therefore in a position to debate the merits of whether or not we should give Federal dollars to private schools.

But we are not in that position. And Congress cannot take a position of siphoning funds out of public schools.

If the authors of this bill would like to bring the issue of school vouchers before Congress, then I challenge them to do so. It is wrong to tack these unacceptable measures onto this spending bill.

It is our responsibility to help the D.C. public schools educate our children, just as it is our responsibility to help the D.C. government deliver basic services to its residents. Regrettably, this bill backs away from the children, and as such, I am left with no choice but to vote against it.

Mr. CAMPBELL. Mr. President, I rise today to talk about the District of Columbia appropriations conference report for fiscal year 1996. I would like to recognize my colleague, Senator JEFFORDS, for all of his efforts to move this bill along. Under his chairmanship, Senator JEFFORDS has been given the task of managing the delicate balancing act between fiscal restraint and social responsibility, and as a result, he has been subject to pressure from all sides. As a member of the Appropriations Subcommittee on the District of Columbia, it has been difficult for me personally to keep the process moving and support what I believe is right in this legislation, in spite of what I think is fundamentally wrong with this legislation. That is why I supported the conference report when it was reported out of the appropriations subcommittee. In an effort to keep the process moving forward I will support the motion to invoke cloture, however my concern with several provisions that remain in this conference report will cause me to vote against final adoption of the conference report, even though it contains much needed funds for the District of Columbia.

Mr. President, the conferees on the D.C. subcommittee worked diligently to craft a conference report that provided adequate funding for the District of Columbia. Notably, the funding issues were never a point of contention, rather there were several legislative provisions that have been the focal point of all of our discussions.

First, the bill places clear restrictions on a women's right to choose.

The final language in this bill specifically makes an exception for the life of the mother, and in cases of rape or incest, but I feel that even this language is too restrictive and dictates who can receive an abortion and when. This is a role I do not believe the Government should be playing.

Second, and most importantly, I have had difficulty with the school voucher provision of this bill. While this conference report includes a compromise on the initial voucher proposal, it still provides \$5 million for the implementation of a voucher program. I have always been concerned that there may not be adequate accountability from private and parochial schools that they are, in fact, providing the best education for low income students.

Vouchers are often looked at as a cure-all for the ills of public education. While I think it is unreasonable to claim that public education is failing our children, I do believe that our schools need reform. We need to infuse our public educational system with creative and innovative new ways to approach the rapidly changing demands of our society. Our public schools need to be empowered, not ignored, and I believe that vouchers would do just that: ignore the problems by providing an out—a choice to abandon the public schools.

Our Nation must have a strong public education system, that provides opportunities for both excellence and equality. To that end, I urge my colleagues to join me in an effort to think of new ways the Federal Government can better serve the States and the school districts to combat the modern challenges of public education. It is only by directly addressing the problems, through which solutions can be found.

In closing Mr. President, it was clear that the two Chambers came to the table with very divergent views on how to develop this conference report. The conference report before us represents many compromises that were made in order to move this bill forward. However, these compromises represent a conference report that I cannot support.

Mr. BYRD. Mr. President, I commend the distinguished majority, Mr. JEFFORDS, and minority, Mr. KOHL, managers of the conference agreement on the Fiscal Year 1996 District of Columbia Appropriations Bill. I know, from 7 years of personal experience as Chairman of the District of Columbia Appropriations Subcommittee, how much effort is required and how much frustration is involved in dealing with the problems encountered in formulating this legislation. It is a thankless job.

This conference agreement includes a limitation of \$4.994 billion, which is \$154,347,000 below the District's August 8, 1995, budget request. The reductions contemplated are to be allocated by city officials with the approval of the District of Columbia Financial Responsibility and Management Assistance Authority, also referred to as the Con-

trol Board, which was established last year.

The Senate conferees have worked hard to bring a conference agreement to the floor which should significantly improve the education programs of the District, including a provision, which I authored, designed to improve discipline in the schools. I understand that the House conferees were adamant, in insisting on the inclusion of a controversial education voucher provision, in order to break an impasse. Despite this, the conference agreement includes a number of other education initiatives, which is a tribute to the hard work of the Chairman of the Subcommittee, Mr. JEFFORDS, who has spent so much time over the past year in an effort to draft legislation which would reinvigorate the D.C. public school system. I commend him and encourage him in those efforts, and especially those relating to increased discipline in the schools.

I want to commend the staff of the Subcommittee. Tim Leeth on the majority and Terry Sauvain on the minority are two experienced Committee staffers. Mr. Leeth has worked for both the majority and minority and represents a proud tradition of non-partisanship on the Senate Appropriations Committee staff. Mr. Sauvain's first assignment on the Senate Appropriations Committee staff was to this bill in the early 1970's. He has held a number of important assignments since then, and for the last 7 years has served as my Deputy Staff Director of the Appropriations Committee, a position which he currently fills in addition to his work for the Subcommittee.

Finally, I want to commend someone who has assisted the House and Senate District of Columbia Appropriations Subcommittees for the past 35 years. Mrs. Mary Porter, an employee of the District of Columbia government, has been assigned on detail to the Appropriations Committees for at least a part of each of the past 35 years. Mrs. Porter is one of those quiet and competent civil servants who works behind the scenes. Her faithful and dedicated service is to be commended.

Again, I thank the managers for their hard work in bringing this conference agreement to the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, in the last few seconds remaining on this side, let me just say the Senator from Vermont has done an admirable job of trying to get the D.C. appropriations bill through, and I commend him. But I do think, despite the fact that this bill needs to pass, that with the unnecessary riders and messages and political motivations, now is not the correct way to do it.

If we defeat cloture today, we can go back and do what the Senate did before

and pass a D.C. appropriations bill that is acceptable to all Members of the Senate.

I yield the remainder of my time.

Mr. JEFFORDS. I yield the remainder of my time to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, again, I thank my friend from Vermont. I associate myself with everything the Senator from Vermont has said, including particularly the sense of despair, even outrage, that we may defeat continued funding for the District of Columbia which desperately needs it because of opposition to a very small part of this proposal that calls for scholarships for kids in the D.C. school system.

I want to suggest in closing that those who oppose the scholarship program are opposing a false choice. This is not an either/or. It is not if you are for the scholarship program, you are against the public schools. Obviously, we are all for the public schools. I am a proud graduate of the public school system. I have supported just about every funding proposal for public schools that has come here and opposed those that have proposed cuts for the public schools.

The fact is that billions and billions of dollars of taxpayers' money are spent every year in our public school systems. There is almost nothing to give the kind of choice we are talking about testing in the District system.

So what is the big deal? The choice to me is this: Is our responsibility to protect a system, which is to say the public schools, right or wrong—and we know they are failing millions of our kids today, doing a great job with millions of others—or is it to better educate our children?

This is not just a question of money. If it were, the District school system would be in better shape than it is, than I described in the sentences I uttered earlier on. The District of Columbia public school system spends more per student than any other State, than any of the 40 largest school systems in America, and still it has the problems it has.

My friend from Washington asked, "Who wins in the scholarship program?" I will tell you who. It is 11,000 students in the District of Columbia—mostly poor kids, by definition—who, by this measure, will have the opportunity to have a choice to do what families with money do when their kids are in schools where they cannot have an opportunity to learn.

Think about it from the point of view not of the school system or of the teachers, but of the parents of these kids. Maybe a single mother working hard to bring up a child can give that child values, hope, and a future, and this scholarship system is that hope.

Are we going to frustrate those 11,000 kids and stop funding for the District of Columbia? Good God, I hope not. I am going to support cloture.

RECESS

The PRESIDING OFFICER. The hour of 12:30 having arrived, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1996—CONFERENCE REPORT

The Senate continued with consideration of the bill.

CLOTURE MOTION

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 2546, the D.C. appropriations bill.

Bob Dole, James M. Jeffords, Richard G. Lugar, Conrad Burns, Strom Thurmond, Slade Gorton, Chuck Grassley, R.F. Bennett, Kit Bond, Nancy Kassebaum, Mark Hatfield, Arlen Specter, Mitch McConnell, Ted Stevens, Connie Mack, and Pete V. Domenici.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate be brought to a close? The yeas and nays are ordered under rule XXII.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Indiana [Mr. LUGAR] is necessarily absent.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is necessarily absent.

The yeas and nays resulted—yeas 54, nays 44, as follows:

[Rollcall Vote No. 20 Leg.]

YEAS—54

Abraham	Faircloth	Lott
Ashcroft	Frist	Mack
Bennett	Gorton	McCain
Bond	Gramm	McConnell
Breaux	Grams	Murkowski
Brown	Grassley	Nickles
Burns	Gregg	Pressler
Byrd	Hatch	Roth
Campbell	Hatfield	Santorum
Coats	Helms	Shelby
Cochran	Hutchison	Simpson
Cohen	Inhofe	Smith
Coverdell	Jeffords	Snowe
Craig	Johnston	Stevens
D'Amato	Kassebaum	Thomas
DeWine	Kempthorne	Thompson
Dole	Kyl	Thurmond
Domenici	Lieberman	Warner

NAYS—44

Akaka	Bryan	Dodd
Baucus	Bumpers	Dorgan
Biden	Chafee	Exon
Bingaman	Conrad	Feingold
Boxer	Daschle	Feinstein

Ford	Kohl	Pryor
Glenn	Lautenberg	Reid
Graham	Leahy	Robb
Harkin	Levin	Rockefeller
Heflin	Mikulski	Sarbanes
Hollings	Moseley-Braun	Simon
Inouye	Moynihan	Specter
Kennedy	Murray	Wellstone
Kerrey	Nunn	Wyden
Kerry	Pell	

NOT VOTING—2

Bradley Lugar

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion to invoke cloture is not agreed to.

The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. JEFFORDS. Mr. President, may we have order, please.

The PRESIDING OFFICER. The Senate will be in order.

Mr. JEFFORDS. Mr. President, I understand the will of the Senate. The Senate has spoken. They did not desire to pass the bill in its present form. I want to make all of my colleagues aware of the serious situation that we are facing with respect to our Capital City, a city for which we have taken responsibility.

As I mentioned earlier to my colleagues, we have been for some 90 days or more trying to reach a resolution of this problem. We have two areas of different concerns. One is the fiscal health of the city. That is in a precarious position right now. I want to make sure all of my colleagues are aware of that. If we do not pass an appropriations bill for the city of Washington in the next few days, they will be essentially bankrupt. That bankruptcy will be on our heads because we have not passed the appropriations bill, which was scheduled to be passed by October 1 of last year. I want to assure my colleagues that I am going to take every legislative opportunity to make sure that the city receives the remaining \$254 million in Federal funds that were contained in the conference agreement as soon as it is possible.

At the same time, I also believe that it is imperative that we maintain as much of the school reform that is contained in this conference report as we can. I will be immediately reaching out to the House Members to see what we can agree to and also be talking, probably more importantly, to the other side of the aisle here who have seen that it was important to them to prevent the passage of this bill at this time in the form that it is in. I want to make sure that we do what we can to help the kids here in Washington.

By encouraging individual assessments in the other matters in this bill, which I will go through again briefly, we provide a way of helping both students and teachers make sure that no

child falls through the cracks. We have a responsibility to see that that happens. We have thousands of young people in this city, because of the problems we have with the school system, that are in danger of either dropping out or graduating—if they do graduate—in a situation where they will not be ready to enter the work force. We must do all we can to make sure that we take care of these kids.

We should also insist upon the independent charter schools as a way of providing competition, which certainly a majority of this body believes is necessary, for the public schools and to give them an incentive to change. This approach provides the chance to improve the education of all D.C. students.

The requirement of a long-term plan and the Consensus Commission to ensure its implementation would, for the first time, bring rational criteria to the District's educational policy and goals. The criteria will give the community a measure for the success of these and other initiatives.

Greater coordination and cooperation between business and educators is essential as provided for in our conference agreement. We will bring forth more technology with resources to the public school classrooms. This is imperative if we are to prepare our students for competition in the workplace for the next century.

Mr. President, I will discuss with the distinguished chairman of the Appropriations Committee our next move, but I want to, again, ensure you I will do everything I can to make sure we pass it in a timely manner and we do provide what is necessary to make sure that the young people of this city have every opportunity—and we have accepted that responsibility—to be able to enter life with an education that they deserve and they need. Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. I say to the distinguished Senator from Vermont that we might file cloture again today and have another cloture vote on Thursday to indicate we are serious and we would like to get the bill passed. So we will discuss that.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I just wanted to respond very briefly to the comments of the Senator from Vermont. I think all of us who followed the conference closely understood that it was the sense really of not only Democrats but also Republicans in that conference that it would be extremely unwise to add these three conditions onto the appropriations conference report. It was ultimately, after a number of weeks of discussion and meetings, the insistence of the House that they move ahead and add those various provisions which have been effectively rejected here this afternoon.