

we are doing is important for them as well as for us.

We want them to have a secure and peaceful country, but we want them to be able to enforce the law, to confront paramilitary troops with their own forces. That is what the \$21 billion goes for. It is a lot of money, but if it gets our troops out just 5 months sooner, it will save us that much in supporting our own military. And we all know it will save us much more in exposure of our fighting men and women to the terrorist attacks that are now going on in Baghdad.

I hope we can move effectively and quickly. Let's have some up-and-down votes. Let's get on with it. We are at war. The President said all along that the war on terrorism is going to be a long war. But we have a chance to gain a major foothold. I hope we can move this emergency supplemental for Iraq and Afghanistan as quickly as possible.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DEWINE. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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, 2004

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2765, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2765) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes.

Pending:

DeWine/Landrieu Amendment No. 1783, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, we are back on the District of Columbia appropriations bill. It is my hope that we will, within the next several days, be able to conclude our deliberations on this bill.

This bill, as we have discussed at length already, is a very positive bill. Senator LANDRIEU and I have worked on it with the help of the other members of the committee. It does a great deal for the children of the District of Columbia. One of the things Senator LANDRIEU and I are both proud of is the work it does for the foster care system, a system that has truly been broken in the District. The District of Columbia has had some serious problems in regard to its foster care system. The Washington Post and other news media outlets have reported time and again about the foster care system. This leg-

islation, for the first time, commits the Federal Government to try to assist in the repair of the system.

The bill also continues the work of the Congress with the District to deal with some very severe infrastructure problems—a sewer problem, for example.

It also addresses the school problem in the District of Columbia, which is the one area that has been contentious. We have taken some time already to debate the issue. As I have pointed out, this bill takes a balanced approach to the school challenge. It is a program that has been designed by the Mayor. It is an innovative program that provides for \$40 million of new money—I emphasize that this is new money—that will be injected into the system: \$13 million that will go to public schools, \$13 million to charter schools for the creation of new charter schools, and \$13 million used for a brand new program to create scholarships for the poorest children in the District of Columbia.

It is a program that, as the Mayor has said, was designed by him, a program he supports, as he has publicly stated, and that he has asked the Congress, the Senate to approve. It is a program that will go a long way to help the children of the District of Columbia.

I ask this afternoon for my colleagues who do have amendments—I know Senator LANDRIEU will be discussing in a moment an amendment she and Senator CARPER will be proposing; I know Senator DURBIN has an amendment, and some of the other colleagues may have amendments—to come to the Chamber and offer their amendments so we can move the bill forward. We are prepared to vote on the amendments. It is time for us to do that so we can move this legislation forward.

I yield to my friend and colleague, Senator LANDRIEU.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank my colleague from Ohio who has been a great partner in this effort. He and I share a great deal of pride in the underlying bill. It was built and crafted with a tremendous amount of bipartisan support.

As he mentioned, one of the cornerstones and key provisions is a push, an initiative, to help support, change, and transform the foster care system in the District. Although it is not a Federal responsibility directly, as the District of Columbia, and as a major city in our country, we hope to have a model that is beneficial not only to the District and the residents in the region but also a model that shines as a bright line around the country as jurisdictions all over the country, including many jurisdictions in Louisiana, are struggling with this same question of how to give the taxpayers the accountability they deserve, how to give the parents and families the respect they deserve, and

how and when to step in and separate children, for their own protection, safety, and health, from a family situation that is disintegrating or dysfunctional and try to heal the situation, reunite the child with the family, or, if that cannot happen, move that child through a temporary nurturing foster care situation until that child can either be reunited with the family or placed with an adoptive family.

I commend the District leadership publicly for the improvements that have been made, although we are a long way from where we need to go. With Senator DEWINE's leadership, we were able to put millions and millions of dollars in last year's bill—as I recall, somewhere around \$70 million—for a new court system to redesign the superior court, to actually identify—and Senator DEWINE and Senator DURBIN led this effort—and design a special court for domestic cases, for family cases, for child welfare cases, so hopefully we now have coming into play one judge—one child and one judge, one family, so children do not get lost between courtrooms or their files are not lost between social workers. We have one team, one judge working with the child for good resolution.

It takes not only good planning but it takes money. It takes resources. The mayor and the locals have stepped up to increase their budgets. We have stepped up to try, even with things as tight as they are, to find additional funding to support that foster care reform. That includes the courts, in getting the social worker ratios tighter so we do not have 1 social worker for every 50 children but 1 social worker for a manageable 15, 20, or 30, which is still a heavy caseload.

Those are two of the important initiatives. Having the right kind of database, having the right kind of people step to the plate to become foster care parents, to promoting adoption as a way to move children to a permanent, loving home—that takes the cooperation of the social workers, the families, the extended family, and the court.

All of those initiatives are funded in this bill to some degree—not to the extent, of course, that we would like but I think to the extent we can begin to see some real headway in terms of improvement for the children of the District.

There are anywhere from 6,000 to 8,000 children ranging in age from infants to 18 to 21 who need this assistance. The chairman has also been very eloquent regarding the needs of children aging out of the system, children who were taken away from their parents, where parental rights were terminated, and the system we created failed to find that child a new family. So at the age of 18 or 21, the child ages out and is literally handed a plastic bag with a few pieces of clothing and not much else other than good luck, good wishes, and goodbye.

That, of course, is not sufficient. In this bill and other efforts this Congress

is making, we are trying not only to help children aging out of the foster care system in the District of Columbia but all over the Nation. There are 25,000 such young children who age out each year. There are exciting projects underway to help these young people despite the fact that they got a short straw in terms of the way their first 21 years of life went. We are hoping to step in, in a more comprehensive way, and give these young people opportunities for college, for skill development, for social development.

Of course, all the money in the world spent on the back end is not worth the effort that could be in the front end regarding prevention. That is what Senator DEWINE has so correctly done and why I support him in his efforts.

Now a word on the school reform proposal being considered and debated. There were a number of points I tried to make on this proposal Friday. I agree with Senator DEWINE; we should have our Members present amendments to try to get some sort of idea in terms of time. Perhaps we will have today and tomorrow to discuss this issue. Senator DURBIN and a few other Senators on our side will have amendments to lay down.

One of the issues I will discuss is the issue of choice. It was one of the goals of Leave No Child Behind, and an important goal. It was not the central goal. It was not the underlying goal. It was a desirable goal. The goal of Leave No Child Behind was excellence through accountability—excellence for the children in the public school system and accountability to their parents and taxpayers who pick up the tab for that system.

In that legislation, we laid down many ways that jurisdictions can provide more choices for students all over this country, for the millions and millions and millions of children who are in public education. We want real choices, not false choices. I am afraid some voucher proponents who continue to talk about vouchers for private schools say the real issue is choice. It is not choice; it is real choice. It is informed choice. It is not just choice. And it is affordable choice.

Senator CARPER and I, in one of eight points in an amendment we have discussed, tried to point out to the proponents that the \$7,500 voucher, while it sounds like a lot of money—and \$7,500 is a lot of money—the average private school tuition in the District of Columbia is \$10,800. We are trying to point out, as written in the proposal being considered, there is no guarantee that \$7,500 voucher would actually get a child into the school of their choice for that amount of money because the school of their choice might have a tuition of \$20,000 or \$18,000 or \$12,000.

One of the aspects of our amendment is, if you are for choice, then be for a real choice; make the voucher real, not fake. We have been criticized as having a filibuster on the cheap. I say that proposal is like vouchers on the cheap.

It is not going to work if the tuition is \$20,000 or \$15,000 or \$12,000. The proponents want to say the taxpayers should be prepared to pick up whatever to give a real choice. Well, that is an expensive whatever. But the opponents want to say we will pick up a voucher for a child to go to a private school, then pick it up. That is what I say. Pick it up. Why stop at \$7,500?

One of the parts of our amendment is to have the voucher basically be accepted by the private school—this is all voluntary on the private schools' part, which is a very good part of the underlying bill. This is not mandatory. No private school has to participate, and there would be many reasons, as written in many newspapers in the country, why many private schools in the District would not want to participate. If they are going to participate, they would have to follow certain guidelines—not cumbersome and, in my mind, not anything that would be very difficult to follow—again, just trying to meet the minimum accountability standards. But if we are going to give children a choice, let's give them a real choice and not vouchers on the cheap, No. 1.

No. 2, one of the most important things about creating any system of choices, whether you create more choice in a public school or more choice for children to go to private schools, is to have informed choices. I would think that we could be spending more money—or more effort and money than we are, and I would be surprised that the proponents who have argued for choice, choice, choice, have not put forward a proposal to try to help the parents of the District of Columbia to have more informed choices about the choices they have now, which is completely public school choice.

In order to make good choices—as we have seen, the choices you make are only as good as the information you have with which to make them. We are experiencing this with our foreign policy as we speak. If your information is not as secure and as thorough and deep and as tight as you would like it, maybe sometimes the choices you make would be different if you had the right kind of information. It is the same thing about public schools and about school choice. If you could have a consumer report, like many of us get for the appliances that we purchase, you could tell what kind of washing machine or dryer you would like, or what car you would like to buy. It is quite easy. Not only can you view the product in a number of different locations without a lot of pressure, but you can read in detail about the way the product carries out its work or the way the product functions. The same effort should be underway here.

That is one of the things that Leave No Child Behind put forward in its reform effort, trying to help improve choices, increase choices but informed choices, and why is there now a report

card, a report, accountability? It is so parents can know. If I have a choice to send my child to this or that school, it is not just walking in the front door and shaking hands with a few individuals and observing if the school looks like it is in good repair and observing the children in the school; but it is also looking a little beneath the surface. What are the teacher/parent ratios? How large are the classrooms? Is my child getting this kind of attention? What do the records show? How many children have become national merit scholars at this school? How many things do parents want to know about their children? If we are interested in choice—of which I am a strong supporter, which is why I have supported charter schools and this kind of accountability and information—then I would think that the voucher proponents would be interested in that kind of information.

But, again, the amendment we have discussed, laid down—the necessity of gathering that kind of information and evaluation, not telling the public schools what they have to do, or ratios, but reporting mechanisms that would allow parents to make wise choices and would also allow the taxpayer who is picking up this tab to have some sense of whether their money was being used for a good purpose or not. Maybe the taxpayers would have a different view. But no matter what we do, whether we have a voucher that goes—which I have argued goes only to children in failing schools, not a broad-based voucher—to have an opportunity to put the system in place for those children to leave that school and to move to a different school, you are going to have to have better information than the proposal that is before us. So the issue of basically voucher on the cheap choice might sound good but it is not real unless you have the right kind of information.

The third point I wish to make is this. My colleague just said this, and you could argue—and I hate to argue with him on any point because he and I have agreed on so many issues for this bill. But I have to take issue with one statement, and he is not the only one who said it. The other Senators have talked about the concept of extra money or new money. This \$40 million that exists in the Senate bill, which is a third for vouchers, a third for charters, a third for traditional public schools, is not new tax dollars. There was no new revenue stream created to pay for this. Part of the money came from the Defense allocation. Part of the money came from Commerce-State-Justice and part of it came from the allocation for the District of Columbia. So this money has come from other places in the budget to come to the District of Columbia. It is not new money. It was here before. It is here now. It is just now shaped for this education initiative.

I agree that the District should get \$40 million for a demonstration project

for any number of reasons. I don't agree with all of the details of the voucher proposal, but I hope we can stop saying this is new money because, in my mind, unless there was a proposal like everybody is going to pay one more dollar for their parking tickets or one more penny for sales tax or everybody is going to pay one more something, it is not new money; it is coming from somewhere else to fund this initiative—not from the education budget, that is true, but it is coming from other budgets.

The Wall Street Journal writes about this every week in a very critical way of my position. I say to them, as they wrote again today, several of us who have supported the modification, they want to remind me—they say:

Senator LANDRIEU should remind herself that this is extra education money.

Let me say to the Wall Street Journal and to any other newspaper that would be reporting on this, I don't know if you can convince any educator in America that there is any extra money anywhere for education. I don't think you could argue with any educator anywhere and say there is extra money. People may say we are spending too much in this area, and our money is not being spent well, so let's move it and repair schools; or we have too much money in the repair school budget, so let's move it to buy computers; or we have great computers but we don't have the teachers who have the training to operate the computers and to teach them, so let's take that money and move it. But I don't know anybody who thinks there is extra money in education, and especially extra money for a program that doesn't accomplish the goals that you have outlined and doesn't meet the objectives of Leave No Child Behind.

I will have some other things to say about this article as the day proceeds. I wanted to talk for a minute about the concept of new money, extra money, about choice and the difference between real choice, informed and uninformed choices, and, again, the issue of vouchers on the cheap, because \$7,500 will not get many children in the District much because the schools here are quite expensive—not just in the District but in the region and throughout the country. There are many expensive schools that are much more than \$7,500.

If we are going to try to help children who are in failed public schools to get a real informed choice, then at least give them a voucher that will get them through the front door and they will not have to go out and have a bake sale in their neighborhood to get the extra money to go because that is not a real choice.

Those are the comments I wanted to make. There are other Senators who will be coming to the floor to speak. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DEWINE. Mr. President, I wish to respond to my colleague's comment about "new money." I hesitate to do this because my colleague and I agree on so many issues. We have worked so well on this bill. But we disagree about this phrase. I will say why I have used this phrase.

First, this is new money. This is new money to the Mayor. If you ask him, "Mayor, is this new money to you," he is going to say: "Yes, it is, Senator, new money. I didn't have this \$40 million, and would I like this \$40 million for my schools, for my kids? Yes, I would. I would like 13 million new dollars for my public schools. Yes, I would like 13 million new dollars—new dollars—so I can have these scholarships; I would, indeed."

It is new money. It is, in fact, new money. It is new to these kids. It is new to their parents. It is new to the schools. It is 13 million new dollars for charter schools, and it will create new charter schools and they will, in fact, be new.

Why do we use the term "new"? We have to understand the context. One of the arguments made many times against these scholarships, or, as my colleague would say, vouchers, is that you can't do that or you shouldn't do that because it takes money away from public schools. As the debate is taking place across the country, people will say: You shouldn't be taking money away from the public schools and putting it into scholarships; that is not fair.

When this program was designed, when this bill was put together, the decision was made that we were not going to do that. What we want to do and what the Mayor wants to do is make this a win-win-win situation, with no money taken away from the public schools. In fact, money would be given to the public schools. So, yes, in fact, it is new money. That is the context in which the term "new money" is used.

Those of us who are in favor of this bill and in favor of this program use the phrase "new money" simply to emphasize no money is being taken away from the public schools, and, in fact, it is new money to the public schools, new money for the charter schools and new money, yes, for these scholarships. That is why we use that phrase. Quite frankly, that is why I am going to continue to use it, and I think it is very important to point that out.

I wish to go back to another point my colleague made about the \$7,500 scholarship, that it might not be enough at some of these schools. First of all, I think in most cases it will be enough. Let me tell you why. A recent survey conducted by the Washington Scholarship Fund, with assistance from the Health, Education, Labor and Pen-

sions Committee staff, found the average weighted tuition among DC private schools with vacancies to be \$6,172, well within the \$7,500 scholarship amount provided by this program. That is something we need to keep in mind.

Furthermore, two-thirds of the schools that reported vacancies charge tuition under \$7,300 and most have a sliding scale to accommodate a family's ability to pay. We think the fact is this is not going to be a problem, but I say to my colleague, I already indicated to her when we were negotiating earlier last week that I don't have a problem with that particular language in her amendment. It certainly makes sense to me. I don't have any problem with that provision in her amendment.

We have reached the point in this debate when we need to know about the amendments. We talked a lot about them. We need to get them. I am not going to propound a unanimous consent request at this point, but I put everybody on notice, within an hour or two I am going to ask unanimous consent that we set a time certain later today that we have a specific cutoff time so we can get these amendments noticed and so everyone will be notified what the amendments will be. There is no reason we can't put everyone on notice and have a time certain later today when these amendments all can be filed so that we know where we are so we can move forward.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

IRAQ

Mr. KENNEDY. Mr. President, this week, the Senate begins a debate on the most important question facing any government. It is not just about the administration's policies and its conduct in Iraq. It is about the way we pursue American interests in a dangerous world. It is about the way our Government makes one of its most important decisions—whether to send young American men and women to war.

Everything we do this week—every amendment we consider and every word of our debate—should be focused on protecting our men and women in uniform, providing for the support and care of their families, and helping them complete their mission and come home with honor.

It is wrong to put American lives on the line for a dubious cause. Many of us continue to believe that this was the wrong war at the wrong time. There were alternatives short of a premature rush to a unilateral war that could have accomplished our goals in Iraq with far fewer casualties and far less damage to our goals in the war against terrorism.

But above all, at this time, as our men and women face constant danger, as American lives are lost almost daily in Iraq, it is not only wrong, but an irresponsible failure of leadership for the administration to have no plan for Iraq. Our troops deserve a plan that will bring in adequate foreign forces to share the burden and restoring stability and building democracy as part of a vision for the future of Iraq, and bring us closer to the day when our troops will come home with honor.

There is no question that the Senate owes it to our men and women in uniform to provide the support they need. But \$87 billion cannot be a blank check. The administration must tell the country what it intends to do with \$87 billion and its plans for sharing the burden with our allies at the U.N. and achieving our goals. The American people are entitled to know whether, with all the current difficulties, the administration has a plausible plan for the future, instead of digging the hole even deeper.

During this debate, my colleagues and I will raise questions about the administration's failed policy in Iraq. We do so not only out of concern for its effect on American security but especially out of concern for the safety of American service men and women, who are paying for that failed policy with their lives.

In its effort to secure swift approval of this enormous \$87 billion, the administration and its allies undoubtedly will criticize those who raise questions about its policy in Iraq. Rather than acknowledging its failures, the White House and its friends in Congress with attack those who question its policies, and may even accuse us of undermining our troops.

Nothing could be further from the truth. It is the administration's failure to consider other alternatives before rushing recklessly into war that has now put our soldiers at risk. It is the administration's failure to gain international support that has put our soldiers at risk. It is the administration's failure to have a plan to win the peace that has created a breeding ground for terrorism in Iraq and put our soldiers at risk.

The embarrassing rebuff of President Bush by the United Nations last week has made these errors even worse. We may never know for sure who or what persuaded President Bush to go to war in Iraq. We know now that we should not have accepted at face value the claims that Iraq was linked to al-Qaida, or that Iraq was building nuclear weapons, or that Iraq had stockpiles of chemical and biological weapons. Our intelligence agencies clearly had inadequate information to justify such claims by the administration, but it is far from clear why President Bush was persuaded to accept that information as adequate.

There is a greater responsibility now than ever on Congress to have an open and honest debate about these failures,

and do all that we can to put our country back on the right course in Iraq and in the larger ongoing war on terrorism.

Our soldiers' lives are at stake. Patriotism is not the issue. Support of our troops is not the issue. The safety of the 140,000 American service men and women serving in Iraq today is the issue, and, it is our solemn responsibility to question, and question vigorously, the administration's current plan to request for funds to restore stability in Iraq, achieve democracy in Iraq, and bring our soldiers home with dignity and honor. So far, the administration has failed, and failed utterly, to provide a plausible plan for the future of Iraq and to ensure the safety of our troops. America's military is the finest in history. It is no surprise that we won the war in just 21 days.

The war was a spectacular victory—but the postwar effort has been a resounding failure. Our soldiers and Marines in Iraq are displaying their extraordinary military skill, but their mission has become infinitely more complex and difficult.

Our soldiers were told they would be welcomed as liberators. Instead, they are increasingly resented as occupiers and are under siege every day. They face surprise attacks and deadly ambushes from an unknown enemy. It is increasingly difficult to tell friend from foe. The average number of daily attacks against American troops has recently increased from 13 to 22.

We are losing a soldier a day; 309 Americans have been killed in Iraq since the war began. In the 150 days since President Bush declared "mission accomplished" aboard the USS *Liberty*, 171 American soldiers have died. Ten soldiers from Massachusetts have made the ultimate sacrifice in Iraq.

This chart shows the list of casualties and total deaths. We do not see the number of wounded; we do not hear that number quoted in the Senate because it isn't published. I wonder why it isn't published. What possible justification is there for concealing the number of brave young men and women who have been wounded over there? Why can't the public know the number of these young Americans who have been wounded so we have a better understanding of what the cost has been?

What possible national security threat is there to publishing of the number of American service men and women who are wounded, along with those killed?

These are not just statistics. Each fallen soldier has someone who mourns. The loss—whether it is a parent, a husband or wife, a brother or sister, or a child—weighs heavily on us, and we must do our best to see that their sacrifice is not in vain.

The administration's failure to plan for the security of our forces in Iraq has created a crisis for the military. It is already stretched thin. We do not have enough active-duty soldiers to sustain their presence.

Half of our Army divisions are in Iraq or Afghanistan. Of the 33 active-component Army combat brigades, 18 are in the Middle East. According to the Congressional Budget Office, by March of 2004, all of U.S. active-component combat units will be serving in Iraq or will have served there in the last year.

Let me repeat that. By March of 2004, all of the U.S. active-component combat units will be serving in Iraq or will have served there in the last year.

To solve this urgent problem, some have advocated creating two new divisions in the Army. But that is a long-term answer. These divisions would not be available for another 5 years, and would cost more than \$40 billion.

The real crisis in our troop levels comes this spring. If the administration is unsuccessful at getting an additional multinational division, they will have to send in another division of American troops—some combination of Marines and National Guard—and we don't have enough Active-Duty Forces to do the job. Without those international troops, we would have to notify reservists before the end of the month to ensure they will be available by spring. This means more American troops in Iraq.

Even with this large contingent of Active Forces, close to half of the troops now in Iraq are reservists, and they are under increasing strain.

Already, more than 170,000 National Guard soldiers and reservists are on active duty. Of those, about 13,000 have been on active-duty for at least a year. Others return home from deployments, only to turn around and head overseas for another tour.

One reservist I recently spoke to had only 17 days off between tours in Iraq and Afghanistan. The average reservist spends 13 times longer on active duty today than during the 1990s. Many reservists cannot leave the service when their original time is up, and are repeatedly sent on new overseas deployments. As our colleague Representative JOHN MURTHA recently said, "the reservists are stuck. . . . In fact, we have a draft. We cannot sustain this force."

Even worse, our National Guard soldiers and reservists believe they are being sent to combat with substandard equipment. Reservists have told me that they used Vietnam-era night vision goggles that obscured more than they revealed, when the latest technology is being used by the regular military. They tell me that they used outdated and less-effective flak jackets. They didn't have the latest body armor with bulletproof ceramic inserts. They tell me that they had to wait for 3 months for appropriate gear. Many units lacked armored Humvees, and needed to hang flak jackets in the windows to protect themselves from attack.

While we haven't seen a fall-off in recruitment or retention in military to some extent, the high unemployment rate is keeping these numbers high.

But inevitably, the hardship and back-to-back extended deployments will take their toll over time. One soldier I recently talked to said that he was leaving the Reserves to avoid being sent away from his new family.

Other families feel the strain of deployment both emotionally and financially. Many give up large civilian salaries when they go on active duty. Some reservists are unwilling to tell employers of their military service obligation for fear they will not be hired.

This was a conversation I had 10 days ago, in my own State of Massachusetts. It is against the law to discriminate against those who are part of the Reserves or the Guard, but they are finding increasing numbers of people who have found their jobs eliminated as a result of the declining economy. They have been trying to find employment. But there is a clear pattern that those who are part of the Reserves or the Guard are not being favorably considered for employment.

As a result, some reservists are unwilling to tell employers of their military service obligation for fear they will not be hired. It is a sad day for patriotism that service to our Nation is considered a negative by employers.

Despite these hardships, the administration proposes to rely even more heavily on the Reserves in the months ahead, increasing their proportion of the force in Iraq to close to two-thirds. Last week, the administration announced that the tours of the 20,000 Army Reserve and National Guard in Iraq could be extended for up to a year, even though those brave of men and women had planned to be home months earlier.

Our National Guard soldiers and reservists love their country. They are proud of their military service. They want to do their job, and they expect to be called to service when the Nation needs them, and to endure periods of difficult separation from their families.

But enough is enough. It is one thing to spend occasional months away from their families and their careers, but it is quite another to spend a year or more in active duty, only to have further callups possible in the near future. Under this administration, they are no longer citizen soldiers. They are treated as full-time troops, and this cannot be sustained.

Much of these problems would not exist if the administration had abandoned its go-it-alone, my-way-or-the-highway foreign policy, and had worked with the international community. If the administration hadn't rushed to war without the broad support of other nations, greater numbers of their peacekeepers would have joined our effort.

The administration agreed to go to the United Nations earlier this month to obtain a new Security Council resolution, but it was a flawed request. The administration still refuses to share power on the ground. They are asking the international community to share

the danger, but other nations will still have no say in the future course of Iraq. We have an all "take" and no "give" policy that does nothing to encourage other nations of the world to share the heavy burden of security.

America, for the foreseeable future, will continue to represent 85 percent of the forces on the ground and suffer 85 percent of the casualties. Indeed, our failure at the United Nations last week led GEN John Abizaid to tell the Senate Armed Services Committee last week:

The fight against terrorism is far from over. The enemy's ideological base, financial networks and information networks remain strong. Indeed, the demographic and economic conditions that breed terrorists may be worsening and those conditions are heightening the ideological fervor associated with radical Islamist extremism.

It appears to me that statement is a fundamental truth; that is, in the battle against terrorism, for us to assume that there is a limited number of volunteers out there for terrorism is entirely inaccurate. The number of recruits who are going to be resupplying these terrorist groups can go on and on and on.

For us to imagine that with a certain number of troops we will be able to eliminate these terrorists or we will be able to use the military force in such a way that in Iraq can free ourselves from the dangers of terrorism is a failure to understand history and to understand, in terms of political challenges and ideological challenges—such as the British learned in Northern Ireland, as we have seen in Kosovo, we saw in Serbia, and we have seen in the West Bank of Israel—that we have to deal with the idea behind the terrorism to get to the root causes as well as to deal with the immediate challenge.

Secretary Rumsfeld says that if we can train the Iraqis to police themselves, we can turn the country over to them. But in many areas, Iraqi police are afraid to leave their stations for fear that they will be killed for collaborating with Americans. Terrorists bomb police stations and assassinate those who cooperate with us, including moderate clerics and members of the governing council.

All of us are profoundly impressed by the dedication, professionalism, and commitment of our soldiers in Iraq. They are willing to endure hardships and dangers in Iraq to complete their mission. But they want to know, their families want to know, and our country wants to know that our policy makes sense.

Today that policy, I believe, is a failure, and American servicemen and women are paying with their lives. Before Congress writes a check for an \$87 billion failed policy in Iraq, we must know that the administration has changed course and developed a realistic plan to protect our troops, win the support and respect of the international community, and achieve long-term stability and democracy for Iraq.

It is time for the administration to convince Congress and the American people that they have a plan to achieve these goals.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BENNETT. Mr. President, I had planned to come to the floor at this hour and discuss the issue of vouchers for the District of Columbia. I will still go back to that topic. However, having listened to my friend from Massachusetts and the comments he has made about Iraq, I will divert from the discussion of vouchers for long enough to make a few points with respect to the situation in Iraq.

I will go back to my first experience with respect to the issue of terrorism. It happened shortly after I was elected. It was back in the early 1990s. I was elected in 1992, and I took office in 1993.

One of my staffers who has foreign policy experience said to me: There are some people you ought to meet.

I said: Fine. What is the subject?

He said: Well, there is something you ought to understand, and these people will come in and brief you on it. I can't sit in on the meeting because my security clearance has expired, and I am not cleared at a high enough level to be present when they brief you. But I think you, as a U.S. Senator, should hear this briefing and understand what it is they have to say.

So not really understanding what was going to happen, I had this briefing take place in my office. Two officers from the CIA came in and sat down with me and talked about the attack on the World Trade Center that occurred in 1993. As they outlined the forces behind that attack, they gave me my first glimpse of international terrorism. I won't go through the details of what they said other than this particular comment. They said: From our point of view, harsh as it may sound, the main thing wrong with the attack on the World Trade Center is that it did not kill more people.

I said: That is a very harsh judgment. What do you mean by that?

They said: Because it killed only six people and the physical damage was cleared up in a relatively short period of time, the American people have been lulled into a false sense of security that they are not at risk.

Then they outlined the full description of international terrorism, where it was, how it operated, and what its goals were. We talked about the religious aspect. We talked about the ideological aspect. I remember saying, as they described the way it was organized: Let me see if I understand exactly what you are telling me. As I understand it, this is basically a church

without a pope; that is, there is no hierarchical structure with a single individual or group of individuals at the top calling the shots all the way down. Instead, it is a series of cells of people who have the same ideological fervor but report to no one. They coordinate but they are not controlled.

These two briefers said: Yes, Senator, you have that about right.

Now, we know there was a center for training for indoctrination and for finance. It was run by Osama bin Laden, and it had as its headquarters, physically, the training camps in Afghanistan. But that does not mean Osama bin Laden or any other central group controlled or coordinated everything that was done worldwide. These are freelancing people, in many respects on their own. They would send people to Afghanistan to be trained and indoctrinated. They would contact Osama bin Laden for funds. But they would develop their own operations and their own initiatives of how they would attack Americans. And this early briefing made it very clear to me that their target was, in fact, Americans. It has always been fashionable to think the primary target for people in the Middle East is Israelis. No, the primary target is Americans. Israelis are seen as surrogates for Americans, but the primary target is Americans.

The concern is that the Americans somehow have entered that portion of the world where these people have previously been dominant, and the Americans have contaminated that world with American ideas. The ideas that are so repugnant are the ideas of freedom, the ideas of equality for women, the ideas of education for children in secular ways to teach them skills so that they can survive in the modern world rather than education that is concentrated entirely on indoctrination of ideas that go back centuries if not millennia.

I came out of that first briefing very disturbed. I tried to ask those who came to brief me if they could give me any timetable. They said: No, we don't know when this will erupt. No one does. But it is there. It is growing. It is powerful. We are the target.

They also said—I remember very clearly—that the primary challenge to Americans would be in chemical and biological weapons. This was before the attempt was made to put a chemical agent into the subway in Tokyo and raised the specter of that kind of thing being done in America.

Well, the years went by. Nothing happened. I tended to forget that briefing and put it aside. I focused, as many in this Chamber know, on the issue of cyber-terrorism and attacks through computers. I held a hearing where I asked the CIA witness who appeared before us: Isn't it likely that the next attack on this country will come in the form of a computer attack because you could do more damage to the economy if you could shut down the computers than any other way?

The CIA witness said: No, Senator, I don't think that is true. It is true that you could do more damage to the economy with computers, but I don't think that is where the attack will come from. The terrorists want something dramatic that will show on television around the world. Television pictures of computers not working just won't cut it for that purpose.

That hearing was held less than 60 days before September 11, 2001, when we saw that particular prophecy—they want something dramatic on television—fulfilled enormously.

What does that have to do with the issues raised by the Senator from Massachusetts as he is complaining that there is no plan in Iraq? He is complaining that the reservists are going to be held too long in Iraq, that we have not leveled with the world, that we don't have enough allies in Iraq, that everything is going terribly wrong in Iraq. It has everything to do with what the Senator from Massachusetts was talking about because the Senator from Massachusetts—and others like him who have chosen to focus on difficulties that America is having in Iraq—has turned his gaze away from the overall challenge of terrorism in the world.

That which I was told in that first briefing is still true. The primary target of terrorists throughout the world is Americans. The primary purpose of terrorism around the world is to drive America out of the Middle East. And the lesson that those terrorists have learned from America's activities since the Vietnam war says that if they just keep chipping away at our resolve, if they just keep bloodying our nose a little bit, Americans will tire, Americans will decide to pull back, and Americans will withdraw. That happened in Somalia. That happened when the first al-Qaida attacks occurred against American Embassies. That happened after the attack on the USS *Cole*.

We protested; we made a brief military gesture, and then, afraid of American casualties, afraid of what public opinion might say in America, we pulled back. Thus emboldened by that kind of history and particularly encouraged by the rhetoric in the United Nations, the terrorist groups are convinced that if they can just hang on in Iraq long enough to cause us to lose resolve at home, we will withdraw our troops from Iraq, we will say it wasn't worth it, we will say, yes, there was some faulty intelligence, and therefore we must correct that by withdrawing altogether, and then we turn not only Iraq but ultimately the entire Middle East over to the terrorists. If we think we have a lot of problems with terrorists now, just wait until they are encouraged by America's lack of resolve.

Of course, things are not going well in Iraq, according to the rosiest of scenarios. They never do in wartime. Think back to the other wars America has fought—more traditional wars to be true, but nonetheless wars that were

for our survival. Did the Second World War start out with a series of American victories? Did the Second World War start out with a series of American bumbles because we didn't have an adequate plan to deal with the surprise attack on Pearl Harbor? There was a great deal of second-guessing about Pearl Harbor. Franklin Roosevelt was heavily criticized for not having known Pearl Harbor was coming, and some even suggested the conspiratorial theory that he looked the other way in order to provoke a Pearl Harbor. I don't believe that for a second, but that was a part of the political rhetoric of the time. We did not, as a nation, respond to that rhetoric. Instead, we said: Let the books about what may or may not have been done be written later; let us concentrate now on the task at hand. We refused to be distracted or diverted from the task at hand.

My primary challenge and my primary problem with the position enunciated by the Senator from Massachusetts is not that he lacks patriotism. There are those who say that by challenging him, I am challenging his patriotism. I don't do that for a moment. It is not that I challenge his motives or his integrity. I don't for a moment. I challenge his focus. He is focusing on everything that might be challenged as not going correctly and perfectly from the beginning, and he is ignoring the big picture. He is ignoring the primary threat that has been with us for decades, finally exploded on our shores on the 11th of September, and has not gone away. And the question must be asked: If we in fact refuse to put up the money for the \$87 billion that has been requested, if we refuse to proceed with the effort to establish a stable and free market-oriented economy and government in Iraq, if we refuse to stay the course and pull back now, all in the name of some abstract sense of balance because the intelligence might not have been perfect, what will be the result?

If we lose focus on the war on terrorism, the terrorists will win. If we decide that short-term political advantage is more important than long-term success, the terrorists will win. It has been said—perhaps it is a cliché, but it is very true—that America is better off fighting terrorists in the streets of Baghdad—yes, even if soldiers die—than we would be fighting them in the streets of Detroit or New Orleans or San Francisco.

One of the reasons we have not had successive events to the bombing of the World Trade Center with airplanes and the attack on the Pentagon since September 11, 2001, is that we have been focusing on destroying the terrorist infrastructure, hunting down their leaders, and disrupting their financial networks. We came to the conclusion that one of the key factors in doing all of those things was an attack on Iraq. Oh, some say, you cannot prove any connection between the people who flew

into the World Trade Center and Saddam Hussein and, therefore, you made a mistake in going into Iraq.

Is there anyone looking at the results of what happened after we went into Iraq who would say the Iraqi people would be better off if we had not done it? Two-thirds of the Iraqis are saying over and over again in various polls and surveys that are done that their lives are better now than before the Americans came in.

Those who say the intelligence was faulty should look at all aspects of the intelligence we didn't have. I will acknowledge that there were many things we did not know until we got on the ground and perhaps the intelligence people should have told us. One of those, about which we hear nothing from the Senator from Massachusetts and others who hold his same position, is that we did not know there was a holocaust going on in Iraq that, percentagewise, was almost as great as the one that went on in Nazi Germany.

Tom Korologos, a friend to many of us in this Chamber, is now serving in Iraq. He takes the congressional delegations that go there to visit the mass graves. He said that is the first place they go, and it gets very quiet very quickly.

We didn't know Saddam Hussein was systematically murdering, torturing, and burying his people in tremendous numbers. The intelligence didn't tell us that. If we had known that, would it have said to us, stay out? If we had had the correct intelligence, would we have said, oh, we cannot go in there if that is going on? There are those who criticized Franklin Roosevelt for not focusing on the Holocaust during the Second World War and not doing more to prevent it. If we had known that, I believe it would have made us go in more quickly and more powerfully than we did. Now we know.

There are those who say we have no plan for the reconstruction of Iraq. Look at how badly it is going. Look at the number of people who are without power and water, and look at all of the damage that was done. Then we realize from the reports on the ground that the lack of power, the lack of water, and the lack of services in Iraq was because of Saddam Hussein, not because of anything the American bombs did. Many Iraqis are saying they have more food, more power, and more water now than they did before the Americans came. But you didn't hear that on this floor from people who are complaining that we have not solved all of the problems in the time we have been there.

Mr. President, as I say, I did not come prepared to talk about that. I have more I want to say on that in a more prepared fashion. I will do that later in the week when we get into the actual debate over the \$87 billion supplemental.

The point I want to make—and I will make it again—is that the true story of what is really happening in Iraq is not being told to the American people.

That is primarily because those in control of the media, for whatever reason, are not anxious to tell that story. Maybe they consider it as not news. Maybe they consider it will not get as many viewers to show the progress that is being made in Iraq, as compared to what they are showing now, which are the difficulties that are being created in Iraq. I will talk about that also later in the week.

I believe that when the truth comes out, when everything that is really happening in Iraq is truly known, the American people will discover this is an effort of which we can be enormously proud. This is an effort of America at its best. We have not gone into Iraq for territory; we have not gone into Iraq for economic advantage; we have gone into Iraq for the highest possible humanitarian motives, and with all of the difficulties and all of the problems, and all of the guerrilla attacks, we are daily increasing our ability to fulfill those humanitarian motives.

Let me close with this final comment. I was in this Chamber when the proposal was made that America invade Haiti. I was opposed to that. I voted against it. But we were told it was our duty to invade Haiti, not because there was an imminent threat from Haiti, not because Haiti was developing any weapons of mass destruction, not because Haiti was harboring terrorists, not because Haiti was financing terrorists, all of which applied to Iraq. No, we were told we had to invade Haiti because there was an illegitimate President in charge; that that alone was sufficient reason for American military power to be applied to the situation in Haiti. Obviously, there was no military challenge worthy of the name awaiting us in Haiti. That was an easy decision to make in terms of a military activity.

Colin Powell, then a private citizen, along with former President Jimmy Carter and Senator Sam Nunn, went to Haiti in advance of the invasion and essentially talked the Haiti regime into abandoning their posts and leaving peacefully. Sam Nunn reported to those of us in the Senate after that experience what went on, and basically the individual who convinced the Haitian leadership to give up without a fight was Colin Powell. He sat down with the leader of the Haitian armed forces and convinced him that military chivalry did not require that he die at his post; that he had a responsibility to his troops and if there was, in fact, a shootout with the American military, his troops would be destroyed for no good purpose. The man, responding as one military man to another, agreed with Colin Powell and left the country.

We can look back on that event and discover the following: We replaced a brutal dictator, much beloved of American conservatives, with a man who had the claim of being the legitimately elected President. So technically we replaced a usurper with a President who was legitimate.

I remember raising the question on the floor of what would happen if we put this man in charge because his past history suggested that he would become just as brutal a dictator. Oh, no, I was told, no, because the Haitian Constitution does not allow him to run for a second term. We will put him back in power with the military might of America behind him. He will serve out the balance of his term, and then he will step aside because he is a democrat who responds appropriately to democratic institutions and his constitution says he cannot serve a second term. You need not be concerned that he will seize power in a way that will be dictatorial and brutal to his people, Senator BENNETT, because the Haitian Constitution forbids it.

The Haitian economy was in terrible shape at the time the American military invaded Haiti, and we were told: We will have to do something about that; we will have to rebuild Haiti, so we will turn that responsibility over to the United Nations.

Now, not quite a decade later, looking at Haiti, what do we find? Yes, we replaced a brutal dictator who was much beloved of American conservatives, with a brutal dictator who is much beloved of American liberals, and he is still there, the Haitian Constitution to the contrary notwithstanding. He is going to be dictator for life, as long as he can maintain his military power.

How has the United Nations done in rebuilding Haiti? How has the United Nations fared in bringing democracy and prosperity to Haiti? The average Haitian at best is no worse off than he was prior to the American invasion. And at worst he is considerably worse off economically. The island's economy has continued to deteriorate. Brutality, government murder, and assassination has continued to thrive. Nothing is better; a great deal is worse.

I am not suggesting that Iraq is a perfect analogy with Haiti, but I find it interesting that people who are now complaining that we went in to remove a brutal dictator should consider leaving quickly and, thus, open the door to replacement by a brutal dictator and turn the responsibility of seeing that the country is rehabilitated over to the United Nations.

I think the track record demonstrates that the Americans do a better job than the United Nations and, indeed, if the United Nations is to succeed, should we do that in Iraq, the only way they could do it, and Kofi Annan and others realize this, would be to plead with the Americans to provide the security forces, to provide the money, to provide the expertise to see that it happens. If we are going to provide that, we should be in charge of it.

Mr. President, now I return to the subject I came to the Chamber to discuss, and I will do that much more expeditiously than I would have otherwise, having taken that time to respond to the Senator from Massachusetts.

The issue is the question of whether or not we should allow a voucher pilot program to be tested in the District of Columbia. Let me make it very clear the implication of what I have just said: a voucher pilot program to be tested in the District of Columbia. By voting for this pilot program and the funds that would support it, I am not voting for vouchers in Salt Lake City, I am not voting for vouchers in Cleveland, Detroit, St. Louis, or Los Angeles, and I am not voting for a national voucher system. I am voting for a pilot project to be tested in the District of Columbia.

Once we have tested that pilot project and learn how well it works in the District of Columbia, then we can have the debate of whether or not it belongs in other cities around the country. Then we can have the debate as to whether or not it works.

Right now we hear all kinds of rhetoric about how terribly irresponsible it will be. Do we know? No. Let's test it. We can't just turn the whole school system in the District of Columbia over to private schools. No, we can't. Let's have a pilot program.

A pilot program to be tested in the District of Columbia does not threaten public education across the country, does not threaten the budgets of school boards around the Nation, does not threaten anything except those who are in love with the status quo.

What is the status quo in the school system in the District of Columbia? On a per pupil basis, it is wonderful. On a per pupil basis, more money is spent in the District of Columbia than any other jurisdiction in the United States. That sounds terrific. We are spending more money per pupil to educate kids in the District than anywhere else. We are spending about a third more than the national average, and we are spending about two-thirds more than we spend in my home State of Utah. From a spending per pupil point of view, nothing is wrong with schools in the District.

The only problem is the vast majority of kids who are being educated in those schools are not being educated. The vast majority of the kids on whom that money is being spent are coming out of the system badly shortchanged. They can't read. They can't figure. There are whole gaps in their knowledge of things they don't understand.

There are those who say we are just not supporting them enough; we are just not spending enough money. The late Senator from New York, Pat Moynihan, once said half facetiously, but also to make a point, that if you drew a chart with one line being spending and the other line being accomplishments, you could draw the inference that the more money we spend on education, the worse it becomes because, he said, as the spending line has gone up, the accomplishment line had gone down. He didn't want to suggest there was a cause-and-effect relationship there, and I don't either, but I do think

from that chart, particularly with respect to the District of Columbia, we can understand that more money for the present system is not the answer.

The people who are most concerned about the education in the District of Columbia have come forward with a request. By that I mean the Mayor, I mean the president of the school board, and I mean ultimately the people most concerned. The parents of the children have said: Will the Congress please give us the opportunity to do a test of a pilot program in the District of Columbia to see if it works? We in the Congress, in the Appropriations Committee so far, have said: Yes, we will give you the money to test a pilot project in the District of Columbia.

From the rhetoric we heard in the committee and the rhetoric I expect on the floor, one would think we had challenged the entire structure of public education in America from the time of Thomas Jefferson forward. We are not. We simply want to have the money to test a pilot project in the District of Columbia, a pilot project which the leaders of the District of Columbia and the parents in the District of Columbia have asked for. I think it is time we gave them what they asked for.

I am perfectly willing to hold out the possibility that after 3, 4, or 5 years of experience, if we determine that it is a failure, I will vote to cut off all funds for it. I am perfectly willing to stipulate that I don't guarantee in any way that this is a silver bullet that is going to solve all of the problems.

I anticipate that at the end of 4 or 5 years, reading scores are still going to be lousy in the District, mathematics skills are still going to be lousy in the District, but maybe, just maybe they will get a little better as the District schools decide they want to compete with those private schools that are educating the children a little better. I am assuming that will happen.

Yes, but we are only providing this for a small percentage of the students in the District of Columbia, and therefore we are shortchanging the others if it is going to work.

Again, we don't know if it is going to work. We are just providing money for a test of a pilot project in the District of Columbia to see what will happen. I believe, as I say, that it will demonstrate better things and more important things. But I say to those who say you are not doing it for all of the kids, it is like the old story which I first heard from an educator. I know it is almost a cliché now that others have used it, but it is appropriate here, and it is the proper way for me to conclude this presentation.

People are walking along the beach and they are seeing on the sand, away from the ocean, starfish that have been washed ashore by a heavy wave, and the wave has then receded and the starfish are in danger of dying outside of the water.

One of the two picks up a starfish and throws it into the water, and the

other says: Why are you wasting your time? Look at all these thousands of starfish that are going to die out here and you can't make a difference. It won't make any difference what you do.

And as the first one threw another starfish back into the ocean he said: It will make a difference to this one.

I suggest that there are many children in the District of Columbia for whom this will make a very significant difference. Just because we can't, here, make a difference for them all, we can at least make a difference for this one, and for that one, and for the next one. Let's have the courage to test a pilot project for the District of Columbia and see what happens.

THE PRESIDING OFFICER. The Senator from Ohio.

MR. DEWINE. Mr. President, I thank my colleague from Utah for a very strong statement. I think he said it very well. We hope this pilot project will cause the competition that we want to see. We hope it will cause the public school system in the District of Columbia to improve. Certainly, at the very least, what we hope to see is 2,000 children who will directly benefit, who will receive these scholarships. We hope it will make a difference in their lives. That is what we think will, in fact, make a difference.

As he said in his little story that he ended with, it will make a difference in these children's lives. If we can make a difference in one child's life or two children's lives or, in this case, 2,000 children's lives, isn't it worth doing? I think the answer is clearly that it is.

The situation in the District of Columbia school system—my colleague has described that. Other colleagues have described how bad the situation is. We can't turn our backs.

The Mayor has said he will not turn his back. He has tried over the last several years to do what he can to improve the school system. He has dedicated himself to this. He has set it as a priority. He has come to us and said this package that is in front of us today is an integral part of his efforts as Mayor of the city of Washington, DC, an integral part of his efforts to try to improve the lives of the children who live in this great city. Frankly, it is the least we can do to have the courage to follow his direction and come forward with this well-balanced approach.

Again, it is a well-balanced approach. We take this new money, \$13 million for new charter schools, \$13 million for public schools, and \$13 million for the scholarship program. It is, in fact, the right thing to do.

MR. PRESIDENT. I ask unanimous consent to have printed in the RECORD two pages we received today from the Mayor. It is entitled "Government of the District of Columbia, Executive Office of the Mayor, Myths and Facts About the D.C. Opportunity Scholarship Program."

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

MYTHS AND FACTS ABOUT THE DC OPPORTUNITY SCHOLARSHIP PROGRAM

[Opponents of the District of Columbia Opportunity Scholarship Program have cited several concerns and criticisms about implementing a scholarship (voucher) program in the Nation's capital. These concerns continue to be shared despite leaders' attempts to address each issue. This document addresses these concerns, and describes the District's broader effort to secure additional Federal support for public schools and expanding options for low-income families.]

Myths and distortions	Facts
1. DC Mayor Anthony Williams is reacting to pressure by the White House and Department of Education to start a voucher program in exchange for receiving Federal dollars for public and charter schools.	In February 2003, Mayor Williams and Kevin Chavous, Chair of the District Council's Education Committee brought their ideas for a Three Sector Education Initiative (includes funding for public and public charter schools, and private school scholarships for low-income families) to the White House and the Department of Education (DOE). The White House and DOE agreed to work with city leadership on its plans for improving education and expanding options for District families.
2. The Federal Government is "imposing" a voucher program on the District of Columbia, thus violating the Home Rule Charter.	There is no violation of Home Rule with this program because elected officials of Washington—Mayor Anthony Williams, School Board President Peggy Cooper-Cafritz and Council member Kevin Chavous are actively pursuing and supporting a school voucher program for the District, as are thousands of District families who are seeking a quality education for their children.
3. City Council and Board of Education have voted against vouchers in the District.	In April 2003, the City Council tabled a resolution by a vote of 12–1 that would have resulted in the council voting against the establishment of a voucher program in the District. The positions of the council and school board cited by opponents are actually votes against previous voucher bills before Congress. The Council has never voted against vouchers.
4. District residents do not want the program	Opponents cite a 1981 poll where District residents overwhelmingly voted against a tax credit plan for the District to be funded by local dollars. However, a 1998 poll conducted by the Washington Post found that 56 percent of District residents favored "using Federal money in the form of vouchers to help send low-income students in the District to private or parochial schools." Only 36 percent were opposed.
5. The District has not listened to the people of Washington	At a public hearing of the District's education committee on School Choice in April 2003, 19 of 21 people who testified spoke in favor of establishing a school voucher program in DC. Each year, more than 5,000 low-income families in the District apply for 1,200 scholarships offered through a privately funded scholarship fund.
6. A DC voucher program would take money away from public schools	Mayor Anthony Williams has increased funding to DC Public Schools by 57 percent during his tenure and remains strongly committed to public education. He and Kevin Chavous have gone on record indicating they will hold the District of Columbia Public Schools "harmless" for any local funds they might lose for students who might leave DCPS as a result of the proposed scholarship program. This means that DCPS will be able to keep dollars for children they are no longer required to educate and spend those dollars on necessary reforms, such as lowering class sizes, recruiting talented principals and teachers and contributing to the transformation of additional DC public schools. This coupled with \$26 million in new funding being sought through this bill for both DCPS and charter schools is a net gain to public education.
7. The scholarship program will only help a few children and is equivalent to abandoning the public schools and the majority of children they serve.	The scholarship program is one part of a carefully crafted education initiative to continue the reform of public schools and the build out of successful charter schools. The scholarship program will bring immediate educational relief to the families who are on long waiting lists for charter schools, transformation schools and out-of-boundary transfers and who can't wait for reform to get their children a good education today. The program is also designed to spur further reform in the public schools—as the scholarship program in Milwaukee, Wisconsin has done.
8. Charters and out-of-boundary program provide enough choice	As Mayor Williams has said, you cannot have too many good educational options for our children. Thousands of DC families are on waiting lists for charter schools and out-of-boundary transfers, and spaces in those schools simply cannot open fast enough. Why should poor families—who often cannot afford to purchase private education or relocate to a neighborhood with a high performing public school—be made to wait on an education that meets their child's needs when parents with money and influence never would? Mayor Williams seeks a scholarship program to help these families now and level the playing field for their children, even as he continues to support reform in the public schools and expansion of the charter schools.
9. Supporting vouchers in the District of Columbia will be the first step to starting a national voucher program.	District officials have no interest in pushing for a national voucher program. This effort is to establish a pilot program in the Nation's Capital only. Mayor Williams, DC Council Education Chair Kevin Chavous, and DC School Board President Peggy Cooper-Cafritz—with the support of thousands of District families—are asking Congress to support a three-sector education initiative, crafted to meet the distinctive needs of the District of Columbia. Because of the District's unique relationship with Congress, and its lack of a State legislature, it is appropriate for locally-elected officials to seek assistance from Congress.
10. The plan before the Senate will not benefit the District of Columbia and its children.	Currently the Senate Appropriation Bill for the District of Columbia will provide \$13 million to public schools, \$13 million for charter schools and \$13 million for a scholarship program that will enable low-income families to send their children to private schools. The funding will support a Three Sector Education Initiative aimed at leveling the playing field for under-resourced families. The effort, championed by Mayor Anthony Williams, Council member Kevin Chavous, School Board President Peggy Cooper-Cafritz and their many supporters, is focused on expanding education options among traditional public, charter and nonpublic schools to ensure all children in the District of Columbia receive the very best education possible in a school of their parents' choice.

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

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I think the previous comments by our distinguished colleague from Utah merit a brief response. Again, I thank the chairman of the committee, my colleague from Ohio, for being so cooperative on this issue. As I often say, there is usually no disagreement between us, and this is an unusual situation where we have a slightly different viewpoint on this particular education measure.

In reference to what the Senator from Utah said, I would like to make a couple of points.

No. 1, I think part of the argument which he presented was that opponents to this voucher plan fail to accept the fact that the Mayor of the District of Columbia asked for vouchers.

I want to again reiterate for the record that at no time, to my knowledge—and I have talked with the Mayor privately; I have heard him speak publicly; I have been at any number of meetings; I have heard his testimony; and I have read his testimony—did he come to the Congress and to the President to ask for voucher money. He came to ask for money for help with his school system and said he would be open to a variety of different suggestions.

The administration said—and wisely when we passed Leave No Child Behind—no to vouchers for about 10 or 15

good reasons. It said: Mr. Mayor, we are happy basically to help, but you have to take a portion of this in voucher money. The original proposal was, as I said, \$10 million in vouchers only, broad-based vouchers, no help for public schools, no help for charter schools, and vouchers to private schools.

No mayor should be blamed for wanting to have additional money for schools—additional money which is not coming out of his budget, it is not extra to us, it is not new money to the Federal Government, but it is new money to the District—no mayor should be blamed for wanting to have additional funding. So the Mayor said basically: I believe in our charter school program, and I believe in our transitional program for public schools. So I will basically take the vouchers portion and make it the best I can.

If the Mayor has a different position, I would like to hear that. But that is my general understanding. I have said that again. The reason that is important is because part of the amendment that Senator CARPER and I wanted to lay down to clarify is one of the major issues in this debate, which is that some of us don't mind having a demonstration program if it is done in the right way for the District of Columbia. But under no circumstances do we want every mayor in this country—or every Governor or every school board president or every reform leader—to think they have to come to Washington to ask for new money or addi-

tional money. The only way they are going to get it is if they give a portion of it to private schools for private school vouchers. We don't think there should be a Federal presence. I don't think there should be a Federal mandate, and certainly no Federal contingency, and in this proposal there is.

That is not right.

The hiding behind and saying the Mayor asked, the Mayor asked—I will tell you the Mayor asked, just as every mayor in the country is asking for help, and every Governor is asking for help, and every school board president is asking for help. Why? Because we raised the bar pretty high on them. We said if 50 percent of your teachers aren't certified by 2006, they have to be certified. We said we realize that you don't have a 100-percent graduation rate. By X time—not mandated but unified—you are going to have to improve your graduation rate or else; and your testing scores, or you are going to have to close your schools and reorganize.

I supported that accountability. I am not complaining that we did that, although the responsibility now is very great on the local level.

I also supported additional funding that would go along with those reforms. Unfortunately, this administration passed a law that left a lot of the funding, basically, on the cutting-room floor. It is not going to get to the communities around this country and in the District of Columbia itself. It fell short by \$21 million.

Yes. The mayor asked for help, but he didn't ask for vouchers.

The second thing I want to say is that I agree with my colleague from Utah. That is one of the reasons I supported a middle-of-the-road, if you will, principled compromise, suggesting to the administration that if we really want to have a demonstration project, then I would be—as one of the cosponsors of this historic No Child Left Behind Act, not all Democrats, not all Republicans—most certainly interested in a true demonstration program that lasts for 5 years where the money was divided a third, a third, and a third between charter schools, public schools under improvement, and then, perhaps for children in failing schools to go into other opportunities in this District of Columbia, if the accountability were there and if the measurements were tight enough to show that truly at the end of 5 years we are making any progress.

The reason I think that is compelling is because the situation in Milwaukee—the “test” in Milwaukee that has been underway for 13 years with private school choice and private school vouchers—is still inconclusive. The taxpayers in Milwaukee and in the United States want to know whether their taxpayer money is resulting in better academic achievement. There is some evidence to suggest that parents are more satisfied, and that is most certainly a worthy goal. We want parents to be satisfied with their children's education as consumers. But that is not the central focus of Leave No Child Behind. The central focus is academic excellence through accountability so that we can have a school system with as much choice, as much opportunity, and as much transparency for the taxpayer to see if we really get our money's worth through our school system.

If we are going to have a test, the amendment that Senator CARPER and I offer would basically guarantee that at the end of 5 years we would be able to say definitively there are voucher proponents who do not want to know whether a voucher works or not because they are not interested in the accountability portion. They are just interested in the choice or the freedom portion. As long as people have choices, as long as parents generally are happy, what does it matter if their children are failing? If they had real choices and if they could go anywhere with money and informed decisions, that might be something on which we could rely. But they do not have informed choices because the system doesn't allow for that kind of information. It is the same as if you are going to buy a car or an appliance. The vouchers are sort of vouchers on the cheap. You don't really get a voucher to go anywhere you want. Some of these schools cost \$20,000. Some of these schools cost \$15,000. The voucher they propose doesn't really give you that choice. It is a false choice based on absent information.

But the final point that the Senator from Utah made warrants some comments as well. I have been searching for a way to describe this and to answer. I actually found a better way than I could have written myself in the newspaper last Friday. It is written by Jarvis DeBerry, an African-American columnist who has written on this exact question.

Why not save a few, if you can? That was the story spoken of so eloquently by the Senator from Utah about walking along the sand and saving a starfish and being questioned: Why are you wasting your time? At least I can save one.

I actually happen to agree with that philosophy. But I would like to read this article into the RECORD because it answers it in a way which I think helps frame this debate.

It is entitled, “Vouchers No Way Out of a Failing Society.”

It is not too long. I think I have the time to read it here.

He says:

If you had a child at a failing school, which person would you look toward for help? Harriet Tubman or Frederick Douglass?

Let me state the question another way: If you had a child at a failing school, would your primary concern be helping your child escape or making sure the schools were improved so that escape would no longer be necessary?

I understand that the question has the effect of reducing Tubman and Douglass to one-dimensional characters: One who escaped slavery, then subsequently worked for freedom by plucking slaves from bondage one by one; the other who also escaped but then became famous for taking the podium and urging the country's leaders to live up to the written promise of freedom and justice.

But what about a better way to illustrate the crossroads at which many black people stand? Is it better to take one's promising child out of the system or stay put and make sure that the system gets better for everybody?

Judging from the attacks that have been aimed at Sen. Mary Landrieu by a group called D.C. Parents for School Choice, it's clear that her opponents want black people to believe that Landrieu is indifferent to black people's interests. Why? Because she sends her children to the tony Georgetown Day and hasn't supported a voucher program that would give about 2,000 D.C. families \$7,500 each they could use towards tuition and private parochial school.

It further states:

... the woman leading the charge against vouchers in D.C. is black, as is the woman who's pushing for them. The argument that support for vouchers is the more authentically black position is usually made by folks who aren't black.

And what those people usually fail to comprehend is this: While deep down nobody wants a life of poverty and oppression, escaping such a fate often brings with it its own kind of guilt. Why do you think so many young black men who come into money are determined to “keep it real” or that poor black people destined for success are admonished to “Remember where you came from?”

Because solo success seems empty. After she escaped from slavery, Harriet Tubman would have been perfectly justified if she'd never returned to the South. But she made 19 trips back and helped about 300 people es-

cape. The fact that she had to pull out her pistol to keep some escapees on track used to make me think that the people at the end of her pistol were cowards.

But now I wonder if some of them were simply eaten up with guilt because they were escaping and their loved ones weren't.

If D.C.'s voucher program is to give private tuition money to 2,000 students, it does not seem to me to be anti-black to worry about the fate of the other 66,000 or so students who'd be left behind.

But would I try to keep an individual student from trying to escape to a better school? No, I wouldn't. Even though that person's departure would further weaken an already struggling school, and I know vouchers for everybody would not be possible.

This might sound like an argument for the scholarship plan, but I make two points: One, this columnist is writing about moving children out of failing schools, not just any school. And he is talking about only 2,000 slots, allowing children to move out of a system that is not their fault. That is not what this proposal does. This proposal is not limited to children in failing schools.

Although some people argue we should not allow children to move out, I have not. I have argued that under certain carefully crafted circumstances, children could move out while we are fixing the system. But the problem with some voucher proponents is they focus on moving children out and not helping the children still there.

As I have pointed out in this debate, although the proponents say they support charter schools and public schools, there is no guarantee that money will be divided the way it is represented. They state their intention, but there is no guarantee until the administration, the President, comes forward saying there will be no bill because I will veto it if there is not help for the kids left behind. Then the great efforts underway for reform, as well as giving these few 2,000 students an opportunity to a higher performing school; we actually know it is higher performing because we have accountability—the proposal pending before the Senate—continues to have many deficiencies.

Again, Jarvis lays out in this article a key question to the debate. While fixing the public school system—and it is a system that needs fixing—it is not to be unaccounted for. It is clear how much work needs to be done in fixing that system, but it is being fixed. Some who have been working for 25 years to try to fashion the public spirit and focus for fixing the system—some, not all—have also come to the idea that if there are a few spots in schools that are available for these children and it can be done in a fair way with the right kind of evaluation and the right kind of parameters, am I going to stand in the way of a few children getting an opportunity? Not this Senator. There are other Senators who have a different view.

But to say that because I am of that position, that I should be for a whole system of vouchers, which is what this voucher proposal is, hiding behind a DC demonstration project, then absolutely no.

I ask unanimous consent that this article be printed in the RECORD. I hope it answers points raised.

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

[From the Times-Picayune, Sept. 26, 2003]

VOUCHERS NO WAY OUT OF A FAILING SOCIETY
(By Jarvis DeBerry)

If you had a child at a failing school, which person would you look toward for help: Harriet Tubman or Frederick Douglass?

Let me state the question another way: If you had a child at a failing school, would your primary concern be helping your child escape or making sure the schools were improved so that escape would no longer be necessary?

I understand that the question has the effect of reducing Tubman and Douglass into one-dimensional characters: one who escaped slavery, then subsequently worked for freedom by plucking slaves from bondage one by one, the other who also escaped, but then became famous for taking the podium and urging the country's leadership to live up to its written promises of freedom and justice.

But what better way to illustrate the crossroads at which many black people stand? Is it better to take one's promising child out of the system? Or stay put and make sure that the system gets better for everybody?

Judging from the attack ads that have been aimed at Sen. Mary Landrieu by a group called D.C. Parents for School Choice, it's clear that her opponents want black people to believe that Landrieu is indifferent to black people's interests. Why? Because she sends her children to the tiny Georgetown Day but hasn't supported a voucher program that would give about 2,000 D.C. families \$7,500 each they could use toward tuition at a private or parochial school.

But Landrieu's reluctance to jump on the vouchers bandwagon shouldn't be used to determine what she thinks of black people. Besides, as The Washington Post points out, the woman leading the charge against vouchers in D.C. is black, as is the woman who's pushing for them. The argument that support for vouchers is the more authentically black position is usually made by folks who aren't black.

And what those people usually fail to comprehend is this: While deep down nobody wants a life of poverty and oppression, escaping such a fate often brings with it its own kind of guilt. Why do you think so many young black men who come into money are determined to "keep it real" or that poor black people destined for success are admonished to "Remember where you came from"?

Because solo success seems empty. After she escaped from slavery, Harriet Tubman would have been perfectly justified if she'd never returned to the South. But she made 19 trips back and helped about 300 people escape. The fact that she had to pull out her pistol to keep some escapees on track used to make me think that the people at the end of her pistol were cowards.

But now I wonder if some of them were simply eaten up with guilt because they were escaping and their loved ones weren't.

If D.C.'s voucher program is to give private tuition money to 2,000 students, it doesn't seem to me to be anti-black to worry about the fate of the other 66,000 or so students who'd be left behind.

But would I try to keep an individual student from trying to escape to a better school? No, I wouldn't. Even though that person's departure could further weaken an already struggling school, and I know vouchers for everybody will never be possible.

Is what's good for a black person necessarily good for black people? Not always. Though I would argue that the converse is generally true.

What proponents and opponents of vouchers have to do now is frame their arguments in a way that doesn't suggest that those who disagree with them hate black people.

Ms. LANDRIEU. Mr. President, I also have some letters from other African-American leaders in the District who are opposed to the voucher plan, most notably the DC Delegate to Congress, Congresswoman NORTON, who gives a long and detailed explanation of why she is opposed.

Particularly of interest in her letter:

First, the city has the largest number of public charter schools per capita in the nation.

She continues:

Charter schools are so popular here with residents that they have long waiting lists, and many are housed in inadequate facilities and need federal funds.

I am pleased to say part of this proposal is, in fact, for charter schools, except we have no guarantee the administration would veto anything if charter schools were not in the proposal. We are waiting for clarification.

I ask unanimous consent to have this letter printed in the RECORD.

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

U.S. CONGRESS,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 22, 2003.

Senator MARY LANDRIEU,
U.S. Senate,
Washington, DC.

DEAR SENATOR LANDRIEU: On behalf of the home rule majority in the District of Columbia—the majority of the City Council, of the elected members of the DC School Board, and myself—I am writing to ask that no appropriation for private school vouchers be added to the DC FY2004 appropriations bill but that our public and charter schools be funded instead. Especially today when the District, like your state, carries large unfunded No Child Left Behind mandates, we strongly oppose funding private school vouchers with federal money. Our opposition to vouchers matches the consistent position of the congressional majority as well, and we ask that you respect our strong position to the same effect. District of Columbia residents are no different from the almost two-thirds of the American people who oppose private school vouchers or the 37 states that have turned down vouchers.

Please also understand that the federal appropriations voucher proposal is not additional money at no cost to the District. Too little attention has been paid during this controversy to the \$25 million in combined federal and local per pupil funding that private school vouchers would cost the DC public schools. We ask that Congress refrain from forcing this expensive additional burden on the District today when the city has already made \$40 million in cuts to its public schools. Moreover, the private school voucher authorization is for five years while the proposed public school funds are a one-time appropriation.

We believe that the recent close House vote is an important indication of the national significance of the DC voucher proposal. On September 5, after several votes had been taken, House leaders pulled the DC bill because of the strong possibility of los-

ing. On September 9, 2003, the House passed a voucher proposal by only one vote, and my earlier amendment to eliminate funding for DC vouchers tied 203–203. On both of these votes the majority of House Members favored removing vouchers, but the vote was held open for an extraordinarily extended time in order to get a Member to change his vote so as to achieve a voucher majority. Members understood the precedent for the nation they would be setting in voting to include private school vouchers in any bill for the first time.

We hope that you retain the urgently needed funds for charter school facilities and public schools in the Senate appropriation, but we oppose the three-sector approach that where one-year funding for public and charter schools has been included the public school funding cannot erase the precedent that would be set by funding private schools. Mayor Williams testified that his major objective was to secure funding for vouchers. The belated response to offer some funds to private schools came only after D.C. residents and officials demanded that all funds be directed to charter schools and public transformation schools.

As the city's only congressional representative, I am completely confident in assuring you that the majority of D.C. residents remain as opposed to vouchers as they were when they strongly supported the Clinton veto of the D.C. appropriation bill that included federal money for vouchers, as proposed now. Far from supporting vouchers, District residents responded to the recent vouchers bill by forming a broad coalition, the Coalition for Accountable Public Schools, consisting of many organizations of every variety, elected officials and individuals. Hundreds of D.C. residents, led by ministers and rabbis, recently held a Public Funds for Public Schools Lobby Day in the Senate and House to ask that vouchers be removed from the D.C. appropriation. The most recent resolutions of the D.C. City Council and the School Board and the individual letters from members that you have received strongly repudiate private school vouchers paid for which federal money.

It would be particularly ironic if vouchers were forced on the District. The city outflanks every state in offering three thriving alternatives to its traditional public schools, all publicly accountable, as private schools are not. First, the city has the largest number of public charter schools per capita in the nation. Charter schools here are so popular with residents that they have long waiting lists, and many are housed in inadequate facilities and need federal funds. Second, the District also has established 15 public transformation schools separate from the D.C. system, and the transformation schools have achieved the first ever breakthrough in raising the scores of low income children and children in low performing schools. This success is due almost entirely to additional services for parents and children alike, which, tragically, the city is now in the process of cutting for lack of funds. Third, the District has long allowed any parent dissatisfied with the neighborhood school to send the child to an out-of-boundary school. Please do not force on the District of Columbia what Congress has not required for the rest of the country, especially considering that the city's track record in establishing publicly accountable alternatives to traditional public schools is better than that of virtually any of the states.

I am enclosing a short statement elaborating my position on vouchers. I ask that you vote against including any proposal for

vouchers in the District of Columbia appropriations bill.

Sincerely,

ELEANOR HOLMES NORTON,
Member of Congress.

VOUCHERS—WHERE I STAND AND WHY

(By Eleanor Holmes Norton)

WHERE SHOULD FEDERAL MONEY FOR D.C. CHILDREN GO?

Two groups of D.C. kids qualify for the federal grants: our children in charter schools and our low-income students in transformation schools where significant test score gains have been made for the first time. The Mayor and Council have made sizable cuts in our schools this year.

WITH FEWER STUDENTS, WILL D.C. PUBLIC SCHOOLS BE BETTER OFF?

The most serious problem with the proposed vouchers has yet to be discussed or to be taken seriously. Our traditional public and charter schools will be hit hard financially if the predicted 2,000 students exit in the fall. Our public schools will lose a combination of \$12,557 per pupil in D.C. and federal funds because every school system must be funded on a per pupil basis. That would be a blow D.C. public school funding cannot afford today when it has already been cut.

MUST D.C. KIDS WITHOUT VOUCHERS GO TO "BAD" D.C. PUBLIC SCHOOLS?

I have always believed that a child is entitled to a public school alternative to a neighborhood school that does not work for that child. For decades D.C. has allowed children to choose schools elsewhere in D.C. In addition, D.C. leads the country in providing many alternatives to our public school system. Our extraordinary 42 charter schools are the most extensive in the country. They are the most important innovation in the history of public education here. However, their success has brought charter schools mile-long waiting lists and facilities in churches and other crowded facilities that need federal funds.

The best hope for our low income children are our transformation schools that surround these children and their parents with extra services, including tutoring and other services for the children and special services for the parents. All 15 transformation schools have significantly improved their Stanford 9 scores. The extra services these children get are available in none of the other D.C. public or private schools. These are our poorest children, often with the least motivated parents. The least any bill should do is to encourage and fund the improvements we see for the first time in these children. Instead, cuts will make it impossible to fund many of the extra resources that are producing these results or to quickly expand transformation schools.

WHERE DOES D.C. STAND?

When the Congress tried to impose vouchers, the city preferred to see its appropriation vetoed rather than accept vouchers paid for with extra federal funding. Council and School Board resolutions continue to go well beyond the insult of congressional riders. The city's resolutions, including the most recent, specifically argue that federal money should be spent on publicly accountable schools.

DO VOUCHERS WORK BETTER THAN PUBLIC SCHOOLS?

Although the proposed voucher program is called a "pilot" by some, the results are already in on vouchers. The GAO study of the Milwaukee and Cleveland vouchers found no evidence of student gains. Ten years of independent, verified research of public and private voucher programs in Cleveland, Dayton,

D.C., New York, Chile, and New Zealand have shown no substantial academic gains.

Ms. LANDRIEU. Parents United for D.C. Public Schools sent a long letter opposing the use of precious dollars—although they are new to the District, they are not new dollars to the Federal Treasury—saying they would prefer to use that money in other ways. Their letter warrants a great deal of thought and I ask unanimous consent it be printed in the RECORD.

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

PARENTS UNITED FOR THE
D.C. PUBLIC SCHOOLS,
Washington, DC, September 15, 2003.

Hon. MIKE DEWINE,
Chairman, Appropriations Subcommittee on the District of Columbia, Washington, DC.

Hon. MARY LANDRIEU,
Ranking Member, Appropriations Subcommittee on the District of Columbia, Washington, DC.

Parents United for the D.C. Public Schools and the District of Columbia Parent Teachers Association (DCPTA) oppose any action by the Congress of the United States that would use federal funds to support a voucher program in the District of Columbia. Together, we represent the parents of the District of Columbia. Members of Congress may remember Parents United for the lawsuit that compelled the city to correct safety violations and which led to the development of a master facilities plan for the D.C. Public Schools (DCPS).

The majority of our membership has overwhelmingly voiced strong opposition to funding vouchers in the District of Columbia. As the public schools continue to work hard to meet the needs of all students and are held to higher standards, federal dollars should not fund private schools that will choose their students and are held to no standards.

As parents who are engaged and involved with our local schools as well as at the city-wide level, we also want to bring to your attention a particularly urgent concern. Since our schools are formula funded, 2000 fewer students leaving DCPS at once mean a loss of \$25 million. Recently, the Board of Education took a vote to rescind negotiated pay raises for all staff, part of a \$40 million cut in DCPS. More losses would cripple school funding.

On behalf of thousands of D.C. Public School parents, we ask that you cast a no vote for this and any other voucher bill.

Sincerely,

IRIS J. TOYER,
Co-Chair.

DARLENE T. ALLEN,
President, District of Columbia Parent Teachers Association.

Ms. LANDRIEU. And from Kathy Patterson, who represents Ward 3, I have another thoughtful letter. She states in her letter:

There are several other education reforms proposed previously in the District of Columbia schools. I urge you to consider one of these alternatives when the D.C. appropriation comes before the Senate.

Pre-kindergarten education. Today, District of Columbia policymakers allocate sufficiently locally generated tax revenues to provide pre-kindergarten education for roughly half of the 4-year-olds in the city. Many of us view expansion of pre-K education to ALL district 4-year-olds as a top priority for funding. . . .

Not one of the priorities, it is a top priority.

So, again, we can understand why voucher opponents would say why are we so intent on taking this \$10 to \$13 million to spend on a voucher program, not limited to children in failing schools, saying it is a demonstration project but not really having the evaluation mechanisms to support that contention when you could ask a broad range of liberal to conservative, the whole range of people, what would be the most important thing we could do for education in the District. It would be to fund pre-K and early childhood education. Why? Because we know the benefits of quality early childhood education.

She goes on to say the second great use of this money would be additional bilingual schools.

The Oyster Bilingual Elementary School provides an excellent education to District children, with English and Spanish-speaking teachers in each classroom. While Oyster is located in my Ward, Ward 3, it serves a broad cross-section of children throughout the District. The D.C. Board of Education has fought to replicate the successful program in other areas, an effort that requires additional funding. The Congress could earmark \$10 million in support of a second bilingual elementary school within D.C. public schools.

I understand that school is about 40 percent Hispanic and Latino, perhaps 20 to 30 percent African American, and 20 to 30 percent Caucasian children. It is a diverse, excellent school with a wonderful bilingual curriculum. We could create one or two other models based on that with this money.

Finally, she discusses elementary English and math instruction, describing a well-received former initiative of a previous administration of a grant program through the Department of Education designed to provide reading specialists and math specialists to each District elementary school to strengthen instruction in these key areas. The grant was not continued.

I ask unanimous consent that letter be printed in the RECORD.

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

SEPTEMBER 9, 2003.

Hon. MARY LANDRIEU,
U.S. Senate,
Washington, DC

DEAR SENATOR LANDRIEU: I write concerning the District of Columbia FY 2004 Appropriations Bill and, specifically, the federal funding proposed for education reform in the District of Columbia. I appreciate your leadership on this as well as other District issues.

I appreciate the attention that the Congress has given to the educational needs of District children, and understand the amount of work undertaken to craft a package of financial support for education reform in the District of Columbia, including support for the District of Columbia Public Schools. Federal support for a reform initiative here, provided over several years and encompassing rigorous evaluation, can benefit not only children in the District but school children across the country, and I applaud such an approach. At the same time, I cannot support the allocation of taxpayer dollars for private school tuition, particularly when there are so many competing needs.

There are several other education reforms proposed previously in the District of Columbia Public Schools. I urge you to consider one of these alternatives when the D.C. appropriation comes before the full Senate. The \$10–\$13 million proposed for K–12 scholarships could very usefully be transferred for one of these initiatives:

Pre-kindergarten education. Today District of Columbia policymakers allocate sufficient locally-generated tax revenues to provide pre-kindergarten education for roughly half of the 4-year-olds in the city. Many of us view expansion of pre-K education to ALL District 4-year-olds as a top priority for funding, and we have allocated dollars specifically for this purpose in previous budget cycles. The Congress could earmark \$10 million specifically for a pre-K expansion, with the same kind of rigorous evaluation that has been discussed with regard to other alternatives.

Additional bilingual schools. The Oyster Bilingual Elementary School provides an excellent education to District children, with English and Spanish-speaking teachers in each classroom. While Oyster is located in my ward, Ward 3, it serves a broad cross-section of children from throughout the District. The D.C. Board of Education has sought to replicate this successful program in other areas, an effort that requires additional funding. The Congress could earmark \$10 million in support of a second bilingual elementary school within D.C. Public Schools.

Elementary English and math instruction. A well-received initiative of Sen. Hillary Rodham Clinton during her tenure as First Lady was a grant program through the Department of Education designed to provide a reading specialist and math specialist to each District elementary school to strengthen instruction in these key areas. The grant was not continued, but represents another very high priority that could be brought forward again, and subject to evaluation to measure its validity as an education reform alternative.

These are just three examples of education reform initiatives strongly supported by District of Columbia policymakers, and, thus, a good menu for the consideration by you in your role as ranking Democrat on the appropriations subcommittee, and by other members of Congress who are also committed to education reform. Each of these options could provide very useful research information of value not only in the District, but throughout the country.

I urge one of these initiatives as an alternative to private school scholarships as a signal of the Congress's strong commitment to improved education outcomes for District children.

Thank you for your consideration.

Sincerely yours,

KATHY PATTERSON.

Think about that, a Federal grant to make sure there was a reading specialist and a math specialist at every elementary school. That grant was not continued but, instead, we hear from this administration: No, we cannot afford that grant but we can afford vouchers.

That is why many Democrats are concerned. That is why they are puzzled. That is why they are perplexed. That is why they are disappointed. That is why they are angry at why we pushed for vouchers when there are so many other needs.

The voucher program, as proposed, is, again, not limited to students in fail-

ing schools. It seems to be open-ended. There are no evaluation components tight enough to let us all know—which would be extremely refreshing to me, and a real relief if I could know definitively—whether these private school scholarships or vouchers work. Because if there were, then we could stop spending our time arguing about it and just deal with the facts and move on.

So for that alone I have told people on both sides of the aisle—some opposed and some for—that it might be worth spending the \$200 million. It is not \$40 million. It is \$200 million because for 5 years you are going to have to have \$40 million a year.

Now, if this Congress is willing to put up that kind of money in these times, then I most certainly could support it. Again, if it were done in a certain way, meeting the accountability standards of Leave No Child Behind, it would be worth maybe the \$200 million to know definitively does the scholarship or the voucher make a difference.

We already know that poor children do better when they leave dysfunctional schools and go to schools that are better organized, more disciplined, and have better instruction. You do not need a study or any money to tell you that.

What we do not know is if a poor child receives a voucher or a scholarship to go to a higher performing private school, basically, or that child receives an opportunity to go to a better public school, can you track to see if the child would do better in the public environment or the private environment? Or does the scholarship matter? Or is it the quality of instruction, class size, et cetera? That is the verdict that is still out. So it would be worth knowing that.

Again, it is not going to cost us \$10 million. It is not going to cost us \$40 million. It is going to cost us \$200 million because we have to have the comparisons of the students in the new charter schools, in the public schools that we are trying to follow as well—the control groups—as well as the scholarship recipients or the voucher recipients.

In addition, I was handed a note that the shadow Senator from the District, Paul Strauss, also opposes vouchers. And he is with us today.

So again there are many, many respected leaders on both sides of this argument in the District. Senator DEWINE and I find ourselves in quite a quandary because we work with all these leaders. We respect them all. We have been working with a broad group of leaders to move the District forward. But this situation deserves debate. It deserves to have the arguments put forward. As I said, if we just come to the floor and, of course, lay our amendments down and argue and debate, tone down the heat and raise the light, then perhaps the District and the country will be helped because we will understand some of the nuances relative to this debate. I hope we are making progress in that regard.

I yield the floor.

The PRESIDING OFFICER (Mr. ENZI). The Senator from Ohio.

Mr. DEWINE. Mr. President, let me respond to a few comments which have been made by my colleague from Louisiana.

First, we seem to keep coming back to this issue about what the Mayor is for and what he is not for. Unfortunately, my colleague keeps inferring that the Mayor of the District of Columbia, Anthony Williams, really, truly is not for this scholarship program. I think we need to get beyond that issue.

I have a letter that I have already entered in the RECORD. It is already part of this RECORD. It is dated September 11, 2003, to me from the Mayor. The Mayor states in part:

This initiative—

He is talking about this three-pronged initiative that we are talking about, which includes the scholarship program—

This initiative was designed by District leadership for District [students] and is not being imposed on the District from outside, as some would have you believe. As mayor, I am trying to make the best choices for the residents of this city, and without a state government to which, under normal circumstances, I would make this request. In this regard, I believe it is appropriate for the federal government to act on behalf of the nation's capital when the local mayor and school board president seek assistance.

Further, in a document that I, a few moments ago, asked to be made part of the RECORD, which is entitled “MYTHS and FACTS”—I will read a portion of this—

Myth:

D.C. Mayor Anthony Williams is reacting to pressure by the White House and Department of Education to start a voucher program. . . .

Now, this document came from the Mayor's office.

Fact:

In February 2003, Mayor Williams and . . . [the] Chair of the District Council's Education Committee brought their ideas for a Three Sector Educational Initiative [which] (includes funding for public and public charter schools, and private school scholarships for low-income families) to the White House and the Department of Education. The White House and Department of Education agreed to work with city leadership on its plans for improving education and expanding options for District families.

Again, in both of those documents, Mr. President and Members of the Senate, Mayor Williams has said they initiated these ideas. They are the ones who came forward with the plan. They are wholeheartedly in favor of it.

I wish we could put this behind us. The Mayor is in favor of this plan. This is the Mayor's plan. He wants it. I think we should put this behind us and quit talking about it. This is something the Mayor of this city wants.

We talk about accountability. Senator LANDRIEU is talking about accountability. I would ask any of my colleagues who are on the Senate floor

or back in their offices to look at the bill as it now stands to see whether or not they think there is enough accountability.

Senator FEINSTEIN came to the floor last week and added some very helpful language to this bill, which makes the accountability very good. It certainly improved the accountability. We thought we had good accountability in the bill before, thanks, again, to Senator FEINSTEIN and her work in the Appropriations Committee, but her amendment added to the accountability and requires that these scholarship students take the same—the same—test that the District of Columbia public school students take.

Again, we are going to be able to measure how well this program works. We are going to see it year after year after year. The report is going to be there. The parents are going to see it. The taxpayers are going to see it. The residents of the District of Columbia are going to see it. We are going to be able to measure it. We are going to be able to tell how well this program is working—the same tests, identical.

Second, the Feinstein amendment, which has been adopted by this body, which is a part of the bill, requires the Secretary and Mayor to select an independent entity to evaluate the performance of the students participating in the scholarship program.

That is just the highlights. I will not read and take the time of the Members of the Senate. But the accountability is built into this bill now.

If my colleague has other things she wants to put into this bill, we certainly would be more than happy to entertain them and to listen to them, if she has other ideas to improve that accountability.

Again, she talks about vouchers on the cheap. I would say, again, our studies show, and what the HELP Committee's staff has come up with, along with what the District of Columbia officials have come up with, is that clearly most of the availability slots are less than the \$7,500.

But for those that would be more, I have no problem with including language in this bill, if my colleague wants to do so, that would require any school which is going to take the voucher to say that is it, they couldn't go back to the parent and say, we want additional money. You are either going to take it as the entire payment or you are not going to accept the student. I have no problem with language in that area to do that. That would be perfectly fine with me.

It is important for us to remember how we got here and why the Mayor wants to do this and why those of us who are strong advocates for this proposal came to the floor to do it. When you look at the statistics of what is going on in the District of Columbia, they are actually shocking figures. How bad are the schools in the District of Columbia? They are bad. Everybody knows that.

If you look at the figures, if you look at the SAT scores, if you look at ACT scores, if you look at graduation rates, all of the statistics—and they have been cited, and I will not take the Members' time to do that—if you look at the dropout rates, if you look at reading scores, the proficiency scores, the math scores, they are shocking. To think that within blocks of this Nation's Capitol, we are tolerating a school system that is not doing any better for the kids, these poor kids who live in our Nation's capital. It is wrong. It is not right. We have an obligation to do something differently.

What we have before us today is something different. In a sense, I could argue it is a radical proposal. But it is really not. It is a conservative proposal. It is a cautious proposal in a sense, because what we do is we say we are going to put more money in the public schools. We are going to take the Mayor's lead, and we are going to put that \$13 million more into the public schools, and we will entrust it to the Mayor because that is what he wants.

My colleague from Louisiana has been very interested in charter schools and played a major role in the development of them. The Mayor wants to try to expand charter schools so we will put more money for them. We are not going to put all our eggs in one basket. We are going to try that, too.

But then we are going to try something else, something we have not done before in the District of Columbia; that is, we are going to put some public money, some Federal tax dollars into scholarships for 2,000 kids. That doesn't seem to me to be such a radical proposal. At the same time we are giving more money to the public schools, at the same time we are giving more money to charter schools, let's put \$13 million, the same amount as for the other two, let's put in \$13 million to create these 2,000 new scholarships for poor kids. Yes, you have to be poor to qualify. Yes, let's keep in mind under this bill the way it is written as to priority, the priority goes to kids from failing schools. Let's create that as well. So we are not putting all our eggs in one basket.

We are not saying we are going one way. We are saying we are going to try something else. We are going to try a balanced approach. We are going to try an approach the Mayor approves of. Let's do something different. We are going to do something a little different, because we are not satisfied with the status quo, because we don't think what is currently going on in our Nation's capital is good enough for the kids who live there.

I say to my colleagues, if you are satisfied with the way things are in the District of Columbia, then take this out of the bill. Go ahead. And when the time comes, vote for the Durbin amendment. Take this out and say: We are going to continue to do things the way we have done them in the past. That is OK.

But if you want to try something different, if you want to try this balanced approach, this rational approach, an approach the Mayor wants to try, then vote down the Durbin amendment, keep the bill the way it is, and let's move forward. Members will have the opportunity tomorrow to do that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONCERNS OVER U.S. POLICY IN IRAQ

Mr. FEINGOLD. Mr. President, over the past year, I have come to the floor several times to express my concerns about the U.S. policy in Iraq. I have raised questions about what I have called the administration's "shifting justifications" for this war. I have raised questions, both before and after the conflict began, about the administration's plans for finding and securing weapons of mass destruction, for ensuring that the international community is willing to share the burden of reconstruction, and—perhaps most critically—for making certain our action in Iraq does not detract from or undermine the fight against terrorism. I still have many of the same concerns today. I still am not confident that the American people have gotten all the answers and all the information they deserve.

Now many in the administration clearly do not want to talk about weapons of mass destruction in too much detail. They don't really want to talk very much about distorted intelligence. These things are apparently old news in their view.

We fought a war of choice. We remain deeply involved. American troops continue to die. Some don't want to talk anymore about those initial choices that were made. The President told the American people that the main reason he went to war was to prevent Iraq from using weapons of mass destruction against us. Now, however, we are told that the real reason for choosing to go to war in Iraq was to tip off a set of, in effect, democratizing dominos that will change the face of the modern Middle East, perhaps even the entire Muslim world, and then, in so doing, defeat the forces of terrorism. I guess that seems to be the general thrust of the argument.

I don't believe it is a good thing for our democracy or for our standing in the world to switch arguments for a war in midstream. But I do think this idea that the administration is putting forth now, after having moved from many other justifications, also deserves to be seriously and critically considered by this Congress, especially given how often the administration is now invoking this idea that we are going to create a domino effect of democracy throughout the Middle East

by invading Iraq and setting up a government there.

Let us consider three propositions that have been repeated by the administration in recent weeks. First, the assertion that Iraq is now the central front in the fight against terrorism—not Afghanistan, not Saudi Arabia, not Southeast Asia, or east Africa or the central Asian states of the former Soviet Republic, Mr. President, but Iraq as the central focus of the war against terrorism.

In support of this assertion, the administration can, of course, point to the influx of terrorists into Iraq since the United States military campaign began. The country was not, however, a hotbed of terrorist activity directed at American interests before that campaign. But the administration appears to be making a much broader point based on a sort of new domino theory for our new century. This time, instead of propping up dominoes threatened by the forces of communism, we are tipping them over in the name of democracy. By tipping the Iraqi domino, we will change the entire Arab world—or perhaps even the entire Muslim world—or so the argument goes—and this in turn will lead to the demise of the terrorist forces that have attacked America.

In other words, what the administration is really saying is that Iraq is now the central battle in the fight against terrorism because this is where we choose to tip the domino.

How likely is it that the battle for the future of the Middle East or the future of modern Islam is going to be fought at a place and time of American choosing? Are we really that all-knowing or that all-powerful?

I agree that a battle of ideas and wills is underway in the region. I am not at all sure that this kind of battle can be influenced by U.S. military action or a U.S. occupation—at least not in the way we would hope.

I am even less sure that invading and occupying Iraq in an attempt to establish a beachhead for democracy will help us in the campaign against terror. It is that campaign against terror that we should be focused upon. How likely is it that the plans and capacities of terrorists operating, let's say, in the Philippines or Indonesia will be greatly affected by the outcome in Iraq? How about the forces still present along the border between Afghanistan and Pakistan? Will a blow for democracy in Iraq wipe them out?

Most importantly, are we more secure? Are we on a firmer footing in the fight against terrorism if we somehow convince ourselves that this is so? Are we on the right track when the Vice President refuses to acknowledge that we know of no real link between Iraq and the attacks of September 11, and then goes on to insist that the Saudis are good partners in the fight against terrorism, as he did on "Meet The Press" earlier this month?

There is something else happening here. I fear that there is. Are we get-

ting distracted, muddled in our thinking, when it comes to our first national security priority? I fear that we actually endanger our security and detract from the fight against terrorism if we all accept this new domino theory as fact.

I can remember hearing a domino theory before, when American troops were fighting a different war. It was an overly simplistic idea that just did not capture all of the different agendas at play in the world—the nationalistic, the self-serving, and the corrupt, to name a few. I am highly skeptical that this theory is any more useful or accurate today.

That earlier conflict also taught me that the right thing to do is to ask hard questions. That is the right thing for the country and the right thing for our brave men and women in uniform. GEN Anthony Zinni made a good point when he spoke earlier this month at the Marine Corps Association and the U.S. Naval Institute Forum. He said the following:

This is the greatest treasure that the United States has, our enlisted men and women. And when we put them in harm's way, it had better count for something. . . . They should never be put on a battlefield without a strategic plan, not only for the fighting . . . but for the aftermath and winning that war. . . . Our feelings and our sensitivities were forged on the battlefields of Vietnam, where we heard the garbage and the lies, and we saw the sacrifice. We swore never again would we do that. We swore never again would we allow it to happen. And I ask you, is it happening again?

This is what was said by General Zinni in front of the Marine Corps Association of the U.S. Naval Institute. These are powerful words from one of our generals. They remind us of the stakes, and they remind us that the questions about our planning, about the wisdom and intellectual honesty of the ideas that guide it, are very much in order today.

I support our troops and I support their families who are very anxiously waiting for their return. That is why it is so important to get some clarity on the nature of our involvement in Iraq and where we stand in the fight against terror.

The President is, of course, right to reject the notion that one can be ambivalent about terrorism. If we don't have moral clarity when it comes to the fundamentally evil nature of acts that target innocent civilians, that murder noncombatants on a grand and gruesome scale as some sort of perverse act of political theater, then, of course, we are really lost. There is no halfway point on this. There is no middle ground. The battle against terrorism is worth fighting. It is a battle we did not begin, and it is a battle I have supported and will always support wholeheartedly.

I agree with those who say that states that knowingly harbor and support our terrorist enemies are enemies themselves. That is why I voted to support using our military might in Af-

ghanistan to defeat the forces that attacked us on September 11. I believe we have to stay focused on that goal. No evidence that has been presented to me suggests a meaningful link between Iraq and the forces that attacked on September 11—at least not prior to our invasion. Iraq was not the inevitable next battleground in our fight against terrorism. It was a battlefield that the administration chose for its own reasons and now sees as the lead domino that will start the region on the path to peace and democracy.

Second, let us consider the assertion that the forces attacking Americans in Iraq do so precisely because they know we are onto something—they know that we are bringing freedom and democracy to Iraq and therefore are striking a blow against terrorism.

What if they are attacking us simply because we are there, because we are present and vulnerable and easier to target in a climate of disorder and in the context of a population that regards foreign occupation, understandably, with some suspicion, even fearing that we want to install a client regime that will provide us ready access to the country's oil?

Disorder creates opportunity. Consider the lead of a recent Chicago Tribune article:

Smugglers on motorcycles ferry Arab insurgents across the rugged desert from neighboring Iran, while former Iraqi army officers guide anti-American Afghan veterans through minefields left over from the Iran and Iraq war. Meanwhile, militants disguised as Iranian merchants, religious pilgrims and charity truck drivers bring in illicit drugs, weapons, and explosives into Iraq to fuel the guerrilla campaign.

Of course, terrorist forces do not want us to succeed in Iraq. They do not particularly want us to succeed anywhere. And America should not and cannot hesitate to take the steps we need to protect our security against terrorist threats. But what I find so disturbing about this assertion is it seems to suggest that bad news somehow vindicates current policy—that if they attack our troops, we are getting it right, that the Middle East peace process breaks down because spoilers are threatened by the winds of democratic change blowing from Iraq.

Recently, Deputy Secretary of Defense Paul Wolfowitz explained away the bombing of the U.N. headquarters in Baghdad and a holy shrine in Najaf by asserting that "Terrorists recognize that Iraq is on a course towards self-government that is irreversible and, once achieved, will be an example to all in the Muslim world . . . pointing a way out of the hopelessness that extremists feed on."

In other words, what he is saying is, these attacks happen because we are on the right track.

This is a somewhat disturbing formula. Are we to interpret every new horror as an encouraging sign that we have it right, that we are really getting to the bad guys? If an increased terrorist presence and activity in Iraq

tells us we are on track, what will tell us we are off track?

Associated with this is a third idea—the assertion that fighting terrorists in Iraq means we will not have to fight them closer to home. I heard the President say a number of statements like this.

If only this were true. Do we really believe that somehow we can attract all the terrorists to Iraq, bring them all in there and then defeat them? Do we really believe there is a finite number of terrorists whom we can finish off by goading them into attacking us in Iraq? Do any of us believe that right now terror cells are not plotting and planning and operating elsewhere in the Middle East, in East Africa, in Southeast Asia, in central Asia? Global terrorist networks would be a great deal easier to deal with if they could be contained within some national boundaries, such as Iraq, clearly identified and engaged. But this is simply not the reality we confront today.

We have to be honest with ourselves about what is really accomplished in these skirmishes in Iraq in terms of the long-term security of the United States. Unquestionably, there is value in helping the people of Iraq take control of their own destiny. I am enthusiastic about helping the forces fighting for democracy and accountability and human rights around the world to triumph because I believe their success will create a more stable and just world for my children and my children's children to live in. And there are very real threats associated with allowing Iraq to become a failed state—the same kind of threats I have warned are associated with weak states elsewhere, including weak and failed states in sub-Saharan Africa.

To tell ourselves this is the central front of the fight against terrorism strikes me as more dangerous self-delusion, and we cannot afford to be anything less than clear and focused and relentless in fighting the forces that attacked this country on September 11.

That task is complex. It requires military strength, but military strength alone is not sufficient. It also requires international cooperation in sharing intelligence, disrupting terrorist communications, and planning and cutting off their access to financial resources. It requires international good will to sustain that kind of cooperation, and it requires a robust public diplomacy effort founded on respect and honesty so we can win the trust of those who fear we are hostile toward Islam and the Arab world.

We have a lot of work to do, both in Iraq and in the fight against terrorism. This is as serious business as we will ever confront. Lives are on the line—the lives of Americans both in and out of uniform. Rather than relying on simplistic theories and constantly shifting justifications, we need to be honest about the threats we face and the means to overcome them.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Nevada.

Mr. REID. Mr. President, before the Senator from Wisconsin leaves the floor, I wish to express my respect for him. He represents the State of Wisconsin so ably. The one aspect I like about this Senator is you never have to worry how he stands on an issue. He is always very forthright and public in his statements.

As the Chair knows, I spend a good deal of my personal time finding out where the votes are on our side of the aisle. With the Senator from Wisconsin, there is never a problem. He doesn't say: Let me get back to you. Or if he does say that, he does get back to me.

I have the greatest respect and admiration for the Senator. I have also watched how he has been engaged in the international relations of this country. I know how he has been engaged in issues that are important to sometimes only him, but sometimes that is all it takes to focus the attention of the Congress on an issue in which he has been involved.

I had the good fortune when I served in the House to serve on the Foreign Affairs Committee. I do not serve and have not served on the Foreign Relations Committee in the Senate, but I do understand what an important committee it is. I say to my friend from Wisconsin, I feel very good in that he is serving on this committee and, in effect, in doing so is also representing me in his efforts to make sure the American public is advised to what is going on in the rest of the world and our Government is involved, as it should be, around the world.

I publicly applaud and congratulate the Senator from Wisconsin for his speech. I think he has, as usual, studied the issue and has made some tremendous and significant points.

Mr. President, I have a statement I wish to give. It is my understanding the majority wants to propound a unanimous consent request for a vote later today; is that right?

The PRESIDING OFFICER. The Chair advises the Senator from Nevada, no request has been propounded thus far.

Mr. REID. I knew that, but I was trying to be as polite as possible to not get in the way of one being offered. So I will just go ahead with my speech and at some later time I can give everyone a hint that there is going to be a vote at 5:30. That is my understanding.

(The remarks of Mr. REID are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Ohio.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DEWINE. Mr. President, as in executive session, I ask unanimous consent that at 5:30 today the Senate proceed to executive session to consider the following nomination on today's Executive Calendar: Calendar No. 380,

the nomination of Carlos Bea to be United States Circuit Judge for the Ninth Circuit. I further ask unanimous consent that following 2 minutes equally divided for debate the Senate proceed to a vote on the confirmation of the nomination with no intervening action or debate; further, following the vote, that the President be immediately notified of the Senate's action and the Senate then return to legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, I recently received a call at home and the person was enraged that we were holding up judges. I explained to the person that that was not factual. I want the record to reflect that tomorrow morning we will approve the 160th judge for President Bush. We have turned down three. So that is 160 to 3 is what I told my friend from Nevada.

I have no objection. I further agree that there be 2 minutes equally divided for the debate prior to the vote tomorrow morning.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DEWINE. I further ask consent that at 9:15 a.m., on Tuesday, September 30, the Senate proceed to executive session and an immediate vote on the confirmation of Calendar No. 381, Marcia Crone, to be United States District Judge for the Eastern District of Texas, to be followed immediately by a vote on the confirmation of Calendar No. 384, the nomination of Ronald White to be United States District Judge for the Eastern District of Oklahoma; provided further that following those votes the President be immediately notified of the Senate's action and the Senate then resume legislative session.

Mr. REID. Mr. President, I apologize to my friend from Ohio. I was not paying close enough attention. I thought he had finished the entire request. So I am not going to restate my remarks where I was talking about the number of judges. I wanted to do that now rather than earlier, but my friend gets the point.

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

Mr. DEWINE. Finally, I ask unanimous consent that there be 2 minutes equally divided for debate prior to each of the votes.

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

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, during the course of our debate last Thursday, we had the opportunity to share a number of thoughts about the President's proposed voucher demonstration for the District of Columbia. I have appreciated the opportunity this last week to engage in discussions and negotiations, if you will, with my friend, Senator DEWINE from Ohio, Senator LAN-DRIEU, and others.

I know there has been some discussion today. I just arrived moments ago. I want to revisit it a little bit. I think we have a vote in about 20 minutes, but I want to take the next few minutes to review some of that conversation.

I said on Thursday and say it again today, I think the measure as it is being amended on the Senate floor is a significant improvement over what was offered in the House and approved by the House. It was a very close partisan vote. I think it passed by one vote. I appreciate the willingness of the other side to at least engage in what I think were good-faith discussions and negotiations.

Among the problems we found with the legislation that came out of committee to the floor was that eligible participating students need not take the same tests that other District of Columbia students take. Most States around the country have adopted academic standards. Once academic standards are adopted, most States are developing tests to understand the students' progress in math or science or English or social studies or other subjects. I understand the District of Columbia has been involved in the process of developing their own academic standards for their own students. I believe they are in the process of developing tests which would reveal student progress.

In the meantime, I think they use a proxy test. If one of my colleagues wants to correct me, feel free, but I think the District of Columbia uses as a proxy test the Standard of Achievement Test to measure how students are doing with respect to reading, writing, and math.

In the State of Delaware, we adopted our standard in 1995 and began giving Delaware State tests in 1998. We actually use the Stanford 9. We actually embed the Stanford 9 achievement test within the Delaware State test so we have some idea how Delaware students are doing with respect to progress against Delaware standards on math, science, and social studies, and also because of the Stanford Achievement Test we have an idea how we are doing with regard to the rest of the country, at least as it relates to reading and mathematics. But I believe the District of Columbia uses only the Standard of Achievement Test at this time. They are developing a standard of achievement test that will find out how local students are doing against the standards that have been adopted. They will now begin using it.

The reason it is important to make sure all our students are taking the same test, whether they happen to be in a traditional public school or a public charter school or in a private or parochial school, that at least once a year they take the same test, is we want to have some way of objectively measuring whether students are making progress and know we are measuring apples and apples and oranges and oranges, and not apples and oranges.

I believe that with the adoption by voice vote of the Feinstein amendment last week, this measure has been amended so now students in parochial, private, traditional public schools and in charter schools here in the District will all be at least taking the same test. That is an important step.

The next step, though, is for us to figure out what we do with the results from that test. That is critically important.

What do we do with the results of those tests? We measure the students' progress toward the District of Columbia's academic standards. It is all well and good if they take the same test, but what if we don't act on those tests or use those tests as most States, including mine, are using the test to help make sure we hold everybody accountable, hold schools accountable, school districts accountable, students accountable, educators accountable?

I used the example last week. I will use something similar to it today to try to make clear we are not interested in creating an administrative nightmare for the parochial schools or the private schools. I don't know how difficult it would be for them 1 or 2 days a year, a couple of days a year, for those schools to ensure the students attending those schools with vouchers take the District's test. On top of that, we are not interested in imposing on a private school or parochial school the accountability system that we find in No Child Left Behind.

There is going to be an independent entity created here in the District of Columbia if this voucher demonstration program is actually adopted and implemented. There would be an entity created called an Eligible Entity. That is what it is actually called. As I understand it, that Eligible Entity would be responsible for, among other things, negotiating with the private and parochial schools, making sure the students who receive these vouchers—actually, I understand the voucher funding would come from the Federal Government through the Eligible Entity to the parents of the students. Then they would choose from among a variety of schools. The schools, if they were oversubscribed, would have a lottery system.

We are not interested in seeing that the parochial and private schools that participate have to go through the No Child Left Behind rules. That is not what we are interested in doing. We do want to know, however, if there are 2,000 kids in this voucher demonstration program, how they are doing relative to the District of Columbia's academic standards. We want to know if we are making good progress with respect to those standards. We want to know if the various subgroups that we are responsible for tracking are doing well, just as we would similar subgroups that are still in traditional public schools in DC or in charter schools here in the District of Columbia.

The data for those students enrolled in private or parochial schools, how

well they do on their test scores, can fairly easily be aggregated and pulled out either by the Eligible Entity, collected by the Eligible Entity, or by some appropriate entity in the District of Columbia, and they will know how kids are doing in the sixth grade and the seventh grade to the eighth grade. They will know how they are doing with respect to reading and how they are doing with respect to mathematics, if those kids were receiving their education on a voucher.

Again, we are not trying to make things unduly complicated or difficult for the parochial or private schools. But if this is going to happen, if we are going to try this experiment, I think it is in the interest of everybody, including the kids, including us as decision-makers, to not impede the ability of students to enroll in a private or parochial school that is interested in participating. The key, though, for us is to make sure that at the end of the day we have data that we can look at as decisionmakers, and the folks in the District of Columbia can look at, and they will actually know with some certainty whether or not the students using those vouchers are making academic progress using the same standards, the same kind of accountability that we are imposing on all the public schools, including the charter schools.

I don't think that is too much to ask. I cited last Thursday a quote from the President. I don't have it with me here, but this is what he announced when he rolled out this proposal last July here in the District of Columbia and talked about these kids. I will paraphrase him: These kids have to operate under the same system of accountability that other kids here in the District would be expected to operate under, to which I would say terrific; I couldn't agree more.

In talking with one of the President's top senior people over in the White House last week, I was concerned to hear that one of the reasons we couldn't have expectations for accountability for progress for kids using these vouchers to go to private or parochial schools is because there is kind of an expectation that given their backgrounds and the problems and academic difficulties they bring to the school, we probably couldn't reasonably expect them to make the kind of progress kids in traditional public schools or public charter schools would be making.

It reminded me that the President is fond of talking about the soft bigotry of low expectations. Boy, as soon as I heard those words, I couldn't help but think that strikes of something akin to soft bigotry of low expectations.

We say we expect kids who are in some of these deplorable schools in the District—we are going to take kids out of those miserably failing public schools and put them in a parochial school or a private school and not expect them to perform in those schools or at least match or exceed the scores

in the schools from which they came. Something is wrong here. Maybe I misinterpreted or misunderstood what was being said on the phone. I hope I was.

But the scores of those kids who get out of the environment they are studying in should soar.

The last point I want to make is, if you have 2,000 vouchers to hand out to a pool of kids, where do you find the students to give them to? How do you make that determination? As far as I know, we still haven't bridged our differences here.

Senator LANDRIEU and I, along with others on both sides—but more Democrats and some Republicans—have contended that we ought to make every effort to ensure that those vouchers, whether it is 2,000 or however many we have, go to kids in schools that are failing. There is a question about whether we have enough failing schools in the District of Columbia in order to make sure that those vouchers are fully implemented and exercised and used.

I am at a loss as to what to say on that. If the schools in this District are half as bad as we have all heard, there are more than enough kids in schools that any of us would deem failing to use those 2,000 vouchers for, and argue for more. There are 15 public schools in the District of Columbia that are deemed to be failing by the standards that are currently being used. I think that is going to change as this District of Columbia test is developed and implemented in the next couple of years.

In my State, we have been making great progress academically for the last year or so. We have several times the number of failing schools as the District of Columbia has.

I know in talking with Senator LANDRIEU in the last week or so that the State of Louisiana has a whole lot more—just in New Orleans alone many times more than 15—failing schools. There are going to be plenty of kids in failing schools here a year or so from now when it is up and running, if it is ever up and running—more than enough kids in these failing schools.

I would suggest to our friends on the other side of the aisle and to the administration that we shouldn't get bogged down on this point. Let us just give the vouchers to kids in failing schools, be done with it, and move on.

The last piece that is troubling—and it was troubling to us before but even more so now—is when legislation comes to the Senate, whoever the President is, whether it is a former President, President Bush, President Clinton, the former President Bush, President Reagan, there is a statement of administration policy that comes with regard to the legislation. Senator LANDRIEU and I were trying to obtain from our Republican colleagues and from the administration an agreement that what emerges from conference would actually be the language and the principles that were laid out that we and our friends talked about a whole

lot last week. We are asking for assurances from the administration and our Republican colleagues that regardless of what we vote on or agree to on the Senate floor—and the whole package could be agreed to on the Senate floor, but when we go to conference with the House of Representatives, you just never know what is going to come out of the conference. We didn't want to be hoodwinked. We didn't want to enjoy a period of victory on the Senate floor only to find that what emerges from the conference of the House of Representatives is something that looks quite different.

Our concerns were underlined, maybe with an exclamation point at the end, when we saw the statement of administration policy.

I don't have it before me. Does Senator LANDRIEU happen to have a statement of administration policy?

Ms. LANDRIEU. Yes.

Mr. President, I do have a statement of administration policy. I appreciate my colleague raising that issue. I know we are scheduled for a vote at 5:30. We only have a few more minutes for this discussion.

But as my colleague from Delaware has stated, there is a statement of administration policy that basically focuses on the \$13 million voucher proposal. It does not mention charter schools. It does not mention additional funding for traditional public schools.

We subsequently received a letter from Secretary Paige after this document was presented indicating that his Department is in support of the three-sector approach. But the Senator from Delaware is correct. Until we have a more definitive statement from the administration and our Republican colleagues, even if we accept that language in this bill, there would be really no confirmation.

Mr. CARPER. Mr. President, I believe the Senator from Nevada wishes to say something before we vote at 5:30. I don't want to impede him.

Mr. DEWINE. Mr. President, I wonder if my colleague will yield for a question?

Mr. CARPER. Yes.

Mr. DEWINE. I was really asking my colleague if Secretary Paige's letter—and, of course, my colleague from Louisiana just referenced that letter—I wonder if my colleague would agree that the letter from the Secretary is a pretty definitive letter. The Secretary is the Secretary and does represent the administration. So it seems to me that it is, in fact, the administration's policy to support the three-pronged approach that we have been talking about here on the Senate floor.

Mr. CARPER. I am encouraged that the Secretary has promulgated a letter. I don't know to what extent it also bears an imprimatur of OMB and the senior folks in the White House. I am encouraged by the letter.

The point I am trying to make is that we are uneasy in the first place about entering into some kind of agree-

ment on the Senate floor, and then just seeing that dissipate in conference. In the administration's statement they don't even mention the \$13 million for public and charter schools, which just further exacerbates our uneasiness.

Let me yield, if I may, to the Senator from Nevada.

Mr. ENSIGN. Mr. President, how much time remains before the vote?

The PRESIDING OFFICER. One minute.

Mr. ENSIGN. Mr. President, I ask unanimous consent that I be able to speak for 4 or 5 minutes.

Ms. LANDRIEU. I have to object. I am going to have to object.

The PRESIDING OFFICER. Objection is heard.

Ms. LANDRIEU. Right after the vote, we can agree to time, if the Senator wishes.

Mr. ENSIGN. I ask my colleague, Mr. President, is there a reason 4 minutes is a big deal?

Ms. LANDRIEU. There is actually a reason. I am sorry. After the vote, we would be pleased to have the Senator speak.

Mr. ENSIGN. Mr. President, I will take the remaining time.

I make a couple of comments. We call this a voucher bill, a scholarship bill, Pell grants for kids, GI bill for some of the most disadvantaged students in the District of Columbia. What we are talking about is the children. Are we going to leave children behind in arguably one of the worst school districts in America or are we going to allow them to at least have a chance, a couple of thousand of them, to have a chance they otherwise would not have? Not only that, can we show something that works? The current system in Washington, DC is not working. At least give the kids and their parents a chance. Instead of putting the bureaucracy first, put the children first.

EXECUTIVE SESSION

NOMINATION OF CARLOS T. BEA, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT

The PRESIDING OFFICER. Under the previous order, the hour of 5:30 having arrived, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read the nomination of Carlos T. Bea, of California, to be United States Circuit Judge for the Ninth Circuit.

The PRESIDING OFFICER. There are 2 minutes divided for debate on the nomination.

Mr. HATCH. Mr. President, I am pleased that we are considering the nomination of Judge Carlos Bea to serve on the U.S. Court of Appeals for the Ninth Circuit. He has had an exemplary legal career in California as a successful attorney and an impartial