

It is a weak argument at best. Our Federal judiciary has long treated the District of Columbia as a "State" for many purposes. For example, the 16th amendment of the Constitution grants Congress the power to tax our incomes, "without apportionment among the several states." The 16th amendment has been interpreted to apply to DC residents; the Federal Government can and does require residents of Washington, DC, to pay Federal income taxes.

DC residents are also required to serve on Federal juries and register for selective service. Why should the right to vote be any different?

I think when we look at this basic purpose, the right to vote for congressional representation, the people who live in Washington, DC, deserve it.

Do opponents of DC voting rights believe that residents of America's Capital City should bear the full responsibilities of citizens but do not deserve the full rights of citizens?

It is not just Democrats who believe the DC voting bill is constitutional. Several prominent Republicans, including Kenneth Starr, Jack Kemp, and Viet Dinh, principal author of the PATRIOT Act, have testified that the bill meets constitutional muster.

Yesterday, September 17, marked the 220th anniversary of the signing of the U.S. Constitution. This is a time to celebrate the genius of the Framers who had the vision and insight—in the year 1789—to lay the foundation for what has become the world's oldest democracy.

The Constitution our Framers gave us was a brilliant document—but not a flawless one. It denied full participation in our democracy to the people of Washington.

Over the past two centuries, we have refined the Constitution to expand the right to vote to all Americans. We have expanded freedom. Some expansions of voting rights have come as a result of constitutional amendment. In other cases, Congress has expanded the right to vote by statute.

Just last year, this Congress reauthorized the Voting Rights Act, which another, courageous Congress first passed in 1965. The Voting Rights Act is often considered the most important civil rights law ever passed by Congress. It removed poll taxes and dismantled Jim Crow.

A few weeks ago, on September 5, the Senate Judiciary Committee—on which I serve—held a hearing to celebrate the 50th anniversary of the Civil Rights Act of 1957. One of the witnesses at that hearing was a hero of mine and a giant of our civil rights movement: Representative JOHN LEWIS of Georgia.

Representative LEWIS testified about discrimination against African Americans when he was growing up in Alabama. He talked about the inspiration he drew from meeting Martin Luther King, Jr. and Rosa Parks. He talked about how far we have come as a nation when it comes to the treatment of

African Americans and persons of color. And he talked about the progress we have made when it comes to voting rights.

JOHN LEWIS was nearly beaten to death on the Edmund Pettus Bridge in Selma, AL, marching for voting rights in 1965. He put his life on the line for the right to vote. So I think we should take special note of what JOHN LEWIS had to say when he was asked at the Judiciary Committee hearing about the bill that would create voting rights for the residents right here in Washington, DC.

JOHN LEWIS said the following:

[We are going to say to the District of Columbia, where people leave this district, leave this city, they go and fight in our wars, and then they cannot participate in the democratic process. That is wrong.

The Senate can heed those words this week. The Senate can give the residents of Washington, DC, a voice in Congress.

For two centuries, Washington, DC, residents have fought and died in this Nation's wars, often suffering among the highest casualty rates.

Twenty-three Washington, DC, residents have been killed or wounded in Iraq and Afghanistan.

Haven't the residents of this city earned the right to have their voices heard, and their vote count, in the House of Representatives? Haven't the people of Washington, DC, waited long enough?

Washington, DC, is the only capital city in the world whose citizens do not have voting representation in their national legislature.

For over 200 years, Washingtonians have been mere spectators to our great democracy.

In the course of our Nation's history, we have many times expanded freedom and expanded voting rights to people whom our Founders, in their incomplete genius, left out.

This week, we have an opportunity, and an obligation, to take another important and long overdue step forward in the historic struggle for voting rights by giving the residents of the District of Columbia a vote in the U.S. House of Representatives. Let us vote for the right to vote.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll. The bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DISTRICT OF COLUMBIA COLLEGE ACCESS ACT OF 1999

The PRESIDING OFFICER. Under the previous order, the Senate will pro-

ceed to the consideration of H.R. 1124, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 1124) to extend the District of Columbia College Access Act of 1999.

Mr. AKAKA. Mr. President, I rise to speak in support of H.R. 1124 and the opportunity it provides for DC's college-bound students. The reauthorization of the District of Columbia College Access Act of 1999 would continue a successful and effective scholarship program.

The DC tuition assistance grant program, or DCTAG, provides scholarships to cover the difference between in-State and out-of-State tuition for eligible DC residents attending any public college or university in the country. DCTAG awards those recipients up to \$10,000 annually and \$50,000 total in tuition assistance.

The original purpose of the bill was to address concern that college-bound students in the District were at a disadvantage because DC lacks a State university system. DCTAG expanded higher education opportunities by allowing students to attend public universities and colleges nationwide at in-State tuition rates.

The original bill also allows students to attend a limited number of non-profit private schools to receive scholarships of up to \$2500 annually and \$12,500 total. Students who attend any historically black college or university or any private school in the District, Maryland, or Virginia qualify for private school grants. The 2002 reauthorization clarified that the grants were only for U.S. citizens residing in DC.

The success of the program is clear. Since the launch of DCTAG in 2000, participation among DC residents more than doubled from 1,900 recipients to 4,700 recipients. DCTAG has awarded 26,000 grants totaling over \$141 million to 9,769 District students. I am pleased to say that a few of those grants went to students attending the University of Hawaii at Manoa in my home State.

Not only are more students receiving grants; more are going to college. The college enrollment rate for DC public school students has doubled to 60 percent and 38 percent of students in the program are the first ones in their family to attend college. DCTAG affords many District residents a chance to go to college when they otherwise would not be able to afford it.

In July, my Subcommittee on the District of Columbia held a hearing with the Mayor and his education leadership team on their reform proposal for the public school system. They offered a realistic picture of DC public schools and a realistic vision for accountability and reform.

The Chancellor of Education, Michelle Rhee, and the Mayor are working very hard to improve the unacceptably low performance of DC students by recruiting talented teachers, reforming the administrative offices, and repairing crumbling schools. They deserve all the support that the Congress can provide in their efforts.

As the cost of college tuition continues to rise at both public and private institutions, this scholarship program offers the District's students hope that if they perform well in high school they can have the same opportunity to access affordable, public, higher education as students in Virginia, in Maryland, and across the country.

Students who know they have the opportunity to go to college are more likely to perform well in high school. The DCTAG program supports the Mayor's efforts to improve DC public schools by offering students the chance to go to college at a minimal cost to the Federal Government.

The DCTAG bill was reported out of committee in February, and now is the time to finally get it passed. I understand my colleague and fellow committee member, Senator COBURN, has asked that two amendments to the legislation be considered.

The first amendment would modify the eligibility standard for the scholarship recipients to exclude any student whose family earns an income of \$1 million or more. Despite the high income threshold, I am concerned about starting down the road of making this a needs-based scholarship program. The program is designed to provide all DC residents access to a range of higher education institutions. I have agreed to accept this amendment despite my misgivings for the sake of the entire program's reauthorization.

The second amendment, however, I am not prepared to accept. It would threaten the integrity and success of the program by increasing the grant amounts for private schools. Nearly 10 times the number of students in the program attend public schools versus private schools, and an increase in the grant amounts for private schools would reduce the overall available funding. Fewer students would be able to participate in the program, and lower income students trying to attend more affordable public schools, in particular, would be significantly burdened, in some cases, potentially, being forced to forego college altogether.

For many students, the importance of this program in defraying out-of-State tuition costs means the difference between attending college or not. I cannot support this amendment, and I urge my colleagues to vote against this amendment as well.

DCTAG has helped thousands of DC students who receive postsecondary education. Its credibility and its effectiveness is evident.

I urge my colleagues to support the bill and oppose Senator COBURN's second amendment.

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

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, today the Senate considers, as my good friend, Senator AKAKA, has mentioned, H.R. 1124 that will reauthorize the Dis-

trict of Columbia Tuition Assistance Grant Program. Senator AKAKA and I have been working on this legislation for quite some time and both believe it is one of the most significant efforts the Congress has made to help students of the District of Columbia.

I thank both the majority leader and the minority leader for allowing us to move this bill forward today. This bill passed the House in May by a vote of 268 to 100. Earlier this year, we introduced the Senate companion bill sponsored by Senator AKAKA, Senator BROWBACK, Senator LANDRIEU, Senator LIEBERMAN, and Senator WARNER offering this needed reauthorization. I thank the Senator from Hawaii for his cosponsorship of this legislation.

I understand the special relationship between the Federal Government and the District. Congress shares the responsibility of making certain that the Nation's Capital remains a socially, economically, and culturally vibrant city. As a former mayor and Governor, I also believe that education is one of the most important factors in ensuring this Nation's future. Thus, one can imagine my dismay when I came to Washington, the shining city on the Hill, and learned that only 43 percent of students entering the ninth grade graduated from high school and even fewer go on to college. One would have thought that our Nation's Capital, the most powerful city in the world, would be the home for a first-class education system.

I am very concerned about the dropout rate in our Nation. America cannot afford to have urban schoolchildren drop out of school and become wards of society. Unless this situation changes, we are planting the seeds for social unrest. As the United Negro College Fund says, a mind is a terrible thing to waste.

Concerned with the future of the District's children, Representative TOM DAVIS and I crafted the District of Columbia College Access Act which created the DCTAG Program, tuition assistance program. I consider the creation of the DCTAG Program to be one of the most worthwhile efforts I have done since my time in the Senate.

The aim of the DCTAG Program is to level the playing field for high school graduates in the District of Columbia who do not have access to a comprehensive, State-supported education system by assisting them in attending college. Before the DCTAG Program, DC students were the only students in the United States—the only ones in the United States—with a limited State higher education system. As a result, few District graduates went on to attend college.

Beginning in 2000, DCTAG scholarships have been used by District students to cover the difference between in-state and out-of-State tuition at State universities. Senator AKAKA has already explained the limitations on the program, but it provides up to \$10,000 per year for out-of-State tui-

tion, with a cap of \$50,000, and \$2,500 for private schools, with a cap of \$12,500.

Again, the way this has worked out is the District has seen an unprecedented increase, a 60-percent increase in college attendance. No other State in the Union can make this claim. Think about that: a 60-percent increase in college attendance. More than 1,500 DCTAG recipients have graduated from college. In my State of Ohio, there are currently 74 District students attending 11 universities, including Ohio State, Kent State, and Bowling Green State University. I truly believe the majority of the students would not be attending colleges and universities in Ohio without the DCTAG Program.

I am particularly proud of the fact that many DCTAG recipients are the first in their family to attend college. In a survey of students attending the District's H.D. Woodson High School, 75 percent of the respondents felt DCTAG made a difference in their decision and ability to continue their education beyond high school.

I know how important this is because in my own situation, my father was raised by foster parents. It didn't look as if he would have a chance to go on to college. His principal and social studies teacher came out to see the man who was the foster parent, who wanted my dad to quit school at 16 and be a laborer. The principal and social studies teacher said: No, keep your George in school. They found him a job at night. Then they also helped him obtain a scholarship from Kroger. He went on to Carnegie Tech to become an architect. I don't know what would have happened if it had not been for those teachers intervening and for that Kroger scholarship. His life would have been quite different.

Sixty-five percent of the kids indicated that the existence of the program enabled them to choose a college that would best suit their needs.

Erica, who attends Virginia State University and is supported by her grandparents living on a fixed income, said:

Without the help of DCTAG, I would not be able to attend college.

And Randa, a full-time single working mother, said:

The support I received is unmatched. DCTAG made my future come true. Before hearing of the grants that existed, I had no intention of pursuing higher education, let alone attending a private school that ranks in the top 10 across the Nation. This contribution to my life has inspired me to help others as I have been so richly blessed.

These stories and many other successes of the TAG Program have resulted—and this is really important, Mr. President—in the private sector taking a vested interest in improving opportunities for the kids in the District.

A public-private partnership modeled after the Cleveland Scholarship Program, called the District of Columbia Access Program, or DC-CAP, was established in 1999 by Don Graham of the

Washington Post and other Washington area corporations and foundations to assist the District high school students with their enrollment in and graduation from college.

DC-CAP is privately funded, a nonprofit organization. It provides full-time counseling and financial assistance, available throughout their college career, to students who otherwise might never have the opportunity to go on to college.

To date, DC-CAP has disbursed more than \$10 million, funded 5,300 students, and provided counseling services to 71,000 people. Similar to the population served by the DCTAG Program, the majority of students served are from low-income, minority, single-parent households, with many the first in their family to attend college.

It is important to understand that without the DCTAG Program, we would not have the DC-CAP program. They were so impressed with the fact that we were willing to step up and do something and give these kids an opportunity for higher education that they said the private sector ought to step in, and they created the public-private partnership.

Building on the success of the DCTAG and the public-private CAP program, the Bill and Melinda Gates Foundation announced this year a \$122 million grant program aimed at improving urban education in the District. The program, known as the DC Achievers Program, represents one of the foundation's largest investments to date in education, with the intention of becoming a model for other communities throughout the United States. They chose the District because of the fact that we had DCTAG and the CAP program.

The scholarships are designed to jump-start the low high school and college graduation rates among students living in certain DC neighborhoods. They are going to concentrate their attention in two regions of the District where there is a 66-percent dropout rate. Think of that. I am hopeful that with these programs continuing, we are going to really make a big difference in the District.

In addition to the programs I have just mentioned, we have America's first federally funded scholarship program that was created as part of the DC Choice Incentive Act of 2003. Under this program, each District scholarship student receives up to \$7,500 per year for tuition, transportation, and fees so they may attend a nonpublic school. Last year, more than 1,800 kids participated in this program at 66 nonpublic schools in the District, and a number of these students have used the DCTAG tuition grants to help their dream of a higher education become a reality. And it was available to them.

In 1996, we created the charter schools in the District. Today, over 13,000 students are attending 34 charter schools in the District. In other words, we are really starting to make some

progress. Supporting the Charter Schools Program is the Federal City Council, a nonprofit organization composed of and funded by approximately 200 local businesses and educational leaders. It is chaired by former Oklahoma Gov. Frank Keating. Members of the President's Cabinet and a number of key Federal officials serve as trustees. That council has spearheaded the business community's support for reforming the District's public school system. In other words, we are bringing together tremendous resources today where we are going to try to make a difference in an urban district in this country—there are about 65,000 kids today in the District—make a difference in their lives so that maybe in the next several years, we can start talking about an urban education system that actually works.

That is why this reauthorization is so very important not only to the District, but it could be the model for the rest of the United States of America. We have to break this dropout rate we are having in urban school districts or this country is in deep trouble.

So I say that it is successful because we have brought together the public and private sectors to make a difference. That is what it is. In other words, we realized that the District's school system is just one thread in this community, and if it is going to be successful, it is going to take their Federal partner and it is going to take their private partner working together to make a real difference for the kids in this community.

The Senator from Hawaii, Mr. AKAKA, mentioned the fact that we brought on Michelle Rhee, who, by the way—I tell you, if it wasn't for DCTAG, if it wasn't for CAP, if it wasn't for the Gates Foundation, if it wasn't for some of the other efforts, I do not think we would have been able to land her. She is terrific. She sees this potential—this young woman, dynamic as all get out—she sees the potential.

I yield the floor, Mr. President. The Senator from Oklahoma has an amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, my reason for offering amendments is not in opposition to this bill's goal. I think the Senator from Ohio and the Senator from Hawaii know that. But there are two really blatant things wrong with this bill.

There is a limited amount of money. Everybody will agree we have allocated—it is going to be about \$38 million this year that is going to go for this program. That is what the spend-out is going to be. Right now, 20 families who make over \$1 million a year are taking an opportunity from 20 families who are below the poverty level. Twenty families right now with household income greater than \$1 million a year are taking this program. Why would we have a program that says to the richest in this country that we are

going to pay for their college education and we are going to do it on the backs of the poorest in this country? These 20 people who are in college today whose families make more than \$1 million a year are stealing an opportunity from 20 kids. Nineteen percent of the District lives under the poverty level. So we are taking from them because we do not have an earnings test on this program.

I put in an amendment, which I am going to call up in a minute, because it is ridiculous to think that somebody earning \$1 million a year cannot afford to pay for their kid's college. But the amendment should have been at \$300,000 or \$400,000 a year, because when you extrapolate that number, you get 400 or 500 kids who are now taking the opportunity from kids who have no income or are living below the poverty level.

So the idea of helping people in the District and enticing people to come to the District to get an education is a great idea. There is not a thing wrong with this program. But it is very shortsighted to say we don't want to put an earnings test on something because it might change the program. The fact is the program is being changed by the wealthy taking advantage of it to the disadvantage of the kids who can't get this grant.

I read in the paper this morning that the House is going to object to a million-dollar-per-year earnings test on this program. Just do a little finger commonsense poll and talk to the American people. Do they think their taxpayer dollars ought to be spent on sending somebody to college whose parents make \$1 million a year? The answer to that is a resounding "no." So why would we have any resistance at all in the House or this body to putting an earnings limit at \$1 million? It makes no sense.

The second problem with this bill is we have discriminated against historically Black, private, nonprofit universities because they are private: Morehouse State, Spelman College, Stillman College, Tuskegee. Yes, we will let you go if you are from Washington, DC, if you want to go to those, but we are only going to give you \$2,500. We are not going to give you \$10,000 because it is a private nonprofit. We are going to limit your ability to embrace your culture at one of the historically Black colleges because it happens to be a private, nonprofit university. We are going to say you can only have \$2,500. And by the way, if you have a good reason that you might want to pursue a field of study that is not offered at one of the universities, the State publicly supported universities, but is offered at a private college, we are going to discriminate against you again. We are going to say we will give you \$2,500.

What we are doing is we are putting a carrot out there and saying, you can't quite get to the carrot. You can't quite get to that carrot. Why would we

discriminate against private and non-private, if a child wants to seek a certain level of education that is not available anywhere except that? If we want opportunity for these kids, we ought to give them opportunity and we ought to let the choice be theirs. Let them choose where to go.

If they want to go into bioneurologic sciences, where can they get that? A private university. They can't get it at a public university. If they want to go into some other area that is not available to them in a public fashion, through a public university, we are going to say, yes, you can, but you get 75 percent less benefit than everybody else gets because you choose to go into a field of endeavor that may be highly sought after but it is not offered at a public university.

So the idea behind the bill is good. The goal of increasing what the chairman and ranking member wanted to do in terms of DC is right, it is right-headed, but if we were thinking about how do we help the most kids, we wouldn't let the first dollar go to parents making \$500,000 a year or \$300,000 a year. We would let it go to the kids, this 20 percent of the population who lives under the poverty level. That is where we would send the money.

What we are saying here is, in the namesake of not wanting to change and not allow the flexibility for more impoverished children to get that college education, we don't want to change. We don't want to allow a young African-American male to go to Morehouse College, because we are going to give him \$7,500 less a year to go there than if he chose some other university. Why would we not want to enhance that culture for him?

AMENDMENT NO. 2888

Mr. President, I ask unanimous consent that any pending amendment be set aside, and I call up amendment No. 2888 and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. CASEY). The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 2888.

Mr. COBURN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit the Federal Government from favoring public colleges and universities over private colleges and universities under the District of Columbia College Access Act of 1999)

At the end of the bill, add the following:

SEC. 2. NON-DISCRIMINATION FOR PRIVATE SCHOOL STUDENTS.

Section 6 of the District of Columbia College Access Act of 1999 (113 Stat. 1327; Public Law 106-98) is amended by adding at the end the following:

“(i) NON-DISCRIMINATION FOR PRIVATE SCHOOL STUDENTS.—In awarding grants under this Act to eligible institutions, the Mayor shall pay amounts, on behalf of eligible students, that are equivalent regardless

of whether the students attend a public or private eligible institution.”.

Mr. COBURN. Mr. President, this is the amendment that says, let's don't discriminate against the private schools. Let us let the kids go where they want. Let us give them an equal shot at Morehouse, at Tuskegee, at Spelman, and Stillman. Let us let them have an equal shot to go there as well as everywhere else. We have decided you can't. We are going to make you more disadvantaged to go to someplace that is culturally better for you.

So I would ask reconsideration on the part of the chairman and the ranking member for this amendment. It makes sense, it is equal, and it treats every sought-after degree the same. We don't discriminate between private and public. It doesn't change where the restrictions are already. It doesn't say every private university in America can have it. What it says is, if we are going to hold this apple out in front of you and say here is your education, we are going to give you a fair shot whether you want to go to a private school or a public school that is on the list. We are going to treat you the same, and we are going to hope that no matter which one you attend that you finish that education and come back and become a productive citizen contributing to DC.

That is what this is about. It is not about expanding the realm of private universities. It is saying that if I choose to go to Morehouse State, I should get the same treatment as if I choose to go to Oklahoma State or Ohio State or the University of Hawaii. I get the same treatment. Don't give me part of an apple, give me the whole apple. Give me everything.

AMENDMENT NO. 2887

Mr. President, I ask unanimous consent that amendment No. 2888 be set aside, and I call up amendment No. 2887.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 2887.

Mr. COBURN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To exempt millionaires from receiving educational scholarship funds intended for needy families)

At the end of the bill, add the following:

SEC. 2. MEANS TESTING.

(a) IN GENERAL.—Section 3(c)(2) of the District of Columbia College Access Act of 1999 (113 Stat. 1324; Public Law 106-98) is amended—

(1) in subparagraph (E), by striking “and” after the semicolon at the end;

(2) in subparagraph (F), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(G) is from a family with a taxable annual income of less than \$1,000,000.”.

(b) CONFORMING AMENDMENT.—Section 5(c)(2) of the District of Columbia College

Access Act of 1999 (113 Stat. 1328; Public Law 106-98) is amended by striking “through (F)” and inserting “through (G)”.

Mr. COBURN. Mr. President, this amendment says if you make \$1 million a year, we shouldn't be paying for your kids to go to college. The rest of the American taxpayers shouldn't.

I am disappointed to hear from the House that when they get this, when we get to conference, they are not going to accept it. It is amazing to me that anybody in this country would think that the Federal Government—all of us collectively—ought to pay for their children's education. If we are going to do that, then let us pay for everybody's education across the country.

But that is not what this bill is about. This bill is about trying to direct funds to those kids who won't have an opportunity for college without these funds. And by giving those funds to the well-to-do families who do not need or require our help to send their children to college, we are stealing opportunity from those kids. There is a limited amount of money. Everybody knows that. There is a limited pie here. And for those 20 times 50,000, that \$1 million is not going to be spent on somebody living below the poverty level wanting to get out and wanting to move up.

I understand it is the chairman and ranking member's opinion that they will accept this amendment, so I graciously thank them for that, and my hope is you would hold this as we discuss this with the House. It is ludicrous to take this away from people who don't have means.

Mr. President, I reserve the balance of my time.

The PRESIDING OFFICER. Under the previous order, amendment No. 2887 is adopted.

The amendment (No. 2887) was agreed to.

The PRESIDING OFFICER. Who yields time?

The Senator from Ohio.

Mr. VOINOVICH. Mr. President, the Senator from Hawaii and I have accepted the amendment that limits the participation of people in this program to those who earn less than \$1 million, but the fact is what we tried to do when we put this program together was to mimic what we were doing in States today around the country. In my State, we have a very robust higher education system, but we do not have an income level that establishes who can participate and who can't. I suspect there are people in Ohio who have kids at Ohio State University who are subsidized and who may make over \$1 million or make \$350,000. But our State has chosen not to have an earnings limit as a matter of public policy. I suspect if you go around the country, you will find that is the case just about everywhere you go.

Mr. COBURN. Mr. President, will the Senator yield for a question?

Mr. VOINOVICH. Let me finish, and then I will yield for a question.

Second, in terms of the private colleges, we looked at what we do around the country, and if you are in the State of Ohio and you are a resident of Ohio, we have a special program that says if you go to a private school, you don't get the full subsidy you would get if you go to a public school, but we provide the private schools up to \$2,500 so you can attend a private school. When we put this program together, we had a limitation saying, as we have in the State—and we took certain areas of Virginia and Maryland and brought them in as part of a State—and we said if you go to the University of Maryland, if you go to the University of Virginia, then you can participate in this program. But what we realized at the time was that the number of people trying to get into Maryland and Virginia was so large it wouldn't give these kids the chance they needed to have so they could get into school, and so we opened it up to public colleges all over the United States of America. As Senator AKAKA says, there are people in Hawaii, I am sure we have people in Pennsylvania and all over America, in Oklahoma, and we are trying to do what a State would do.

The other thing we did, which was unusual, is that because we have historical Black colleges around the country, we provided a special program that at those private colleges, even though they are outside of the region of the District of Columbia, the children would be able to receive up to \$2,500, and that lays out why this whole program came together. What the Senator from Oklahoma is making mention of is that he wants everybody to get the same amount of money. If we provide equal funding for private and public colleges, as proposed by the amendment, we would be limiting the reach of what is, by all accounts, a very successful program.

The current level of funding of the DCTAG is about \$33.2 million. If we expanded that to allow District schools to receive grants of up to \$10,000, funding would have to be increased significantly to serve the existing population served by the DCTAG. As mentioned earlier in the debate, the average grant amount per student is \$6,500. They do not get the \$10,000, they get the average of \$6,500, and the difference of \$3,500 would have to be made up somewhere. Of the 6,400 students enrolled in the DCTAG today, 886 are attending private colleges. These students are receiving about \$2 million. If this amendment were to pass, funding would have to increase by over \$5 million to cover these students, or the District would have to reduce the number of students attending public universities by 875 students. So it is a matter of money and dividing it. My guess is that would result in fewer students attending college because the pool of available money would shrink.

I would hope none of my colleagues is willing to ask 875 students not to attend college. This program has been an

unprecedented success since the first grants were handed out in 2000. There is an old saying, and I have believed in it my entire years in Government—over 40 years—“If it ain't broken, don't fix it.” This program is not broken. This program is one of the most successful programs in the United States of America to reduce dropout rates and increase the attendance of youngsters to get a college education. I hope my colleagues who are listening and paying attention right now will vote against this amendment because I don't think it is going to add one iota to this program except to take away from it.

Mr. COBURN. Will the Senator yield for a question?

Mr. VOINOVICH. I am glad to yield.

Mr. COBURN. Do the people of upper income in Ohio pay higher taxes in the State of Ohio?

Mr. VOINOVICH. Yes, and I am sure the people in the District of Columbia are paying higher income taxes to the United States of America.

Mr. COBURN. So the people of Ohio, who send their children to Ohio State, even though they pay in-State tuition, actually pay more for that college because they pay a much higher percentage of the State budget and the State of Ohio, similar to the State of Oklahoma, has decided that with that increased income, we will grant everybody. But it doesn't cost the same. So the argument is, in terms of the difference in incomes: Those people who make exceptional incomes in Ohio and Oklahoma actually pay more for their kids to go to college in their States because they pay a much higher percentage of the total income taxes in the State.

The second point is I think the Senator is right. If it ain't broke, don't fix it. This is one of the rare programs that ought to be expanded, but we have terrible priorities in this Senate and in this Government. So we will not take another \$10 million to make sure more kids go and get rid of some duplicitous earmark somewhere that is a favor for some politician somewhere so we can, in fact, enhance it.

This is a very straightforward amendment. It says why would you discriminate against somebody who wants to go to a private college over a public college? That is what we are doing. The answer is because we don't have enough money. That is the answer. The answer is we do not have enough money, so therefore, if we give the same amount of scholarship to private schools as we give to public, we would not have enough money for 886 people who are getting a full boat now.

The answer to that is here is a program that is working, here is where we ought to have priorities, here is where we ought to be putting more money rather than less. But the answer, our closed-minded answer in Washington is: That is all the money we have. Even though this is working and a lot of other programs are not working, we

are not going to defund those programs that are not working. We are not going to measure with a metric whether they are effective. We are going to let them go. Here is a good program that is making a difference in people's lives, and we are not going to go fight for more money.

To me, that says it all about where we are in Washington today.

Mr. VOINOVICH. Mr. President, I would like to say—and I am pleased the junior Senator from Oklahoma is talking about a Federal program where he wants to see more money spent. I think that is terrific. The fact is, he does agree this is a very special program. I would like to point out so do the appropriators, because year after year, they have provided more money for this program.

Initially, it started out at about \$17 million. They are up to about \$33.3. In their consideration of the importance of this program, they have, in fact, provided more money for it because it is a very worthwhile, successful program. The fact of the matter is we all believe that if we evened it out across-the-board, fewer of our youngsters, the socially deprived kids in the District, would be able to take advantage of the program.

Again, I wish to emphasize we tried to copy what we do in States such as Ohio, where we say to the private schools: You are here. God bless you. And we give them, not the total subsidy, \$6,500—they get up to \$2,500 for those students.

If you are thinking about kids who need help, I know in my State if you have a youngster who has some potential—by the way, these youngsters who have the potential are taking advantage of the college assistance program the private sector set up here, set up by Don Graham over at the Washington Post. So they come in with this little extra money for them. We also have the Pell Grant Programs available to these individuals.

I can tell you this. If we had a bright kid in the District who was qualified to go to Georgetown—we mentioned a young lady who is at one of the top universities. They have special programs that reach out and say here is a youngster—such as my dad—who is bright, hard-working, and we are going to give them some extra, such as dad got at Carnegie Tech so he could go on to get his architectural degree.

I think we are talking about reality here. We are talking about a program that is making a difference. I respectfully say I think the proposal doesn't help the program but rather takes away from it.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, reclaiming my time, I wish to echo the remarks of my good friend and ranking member, Senator VOINOVICH. Senator COBURN's amendment threatens to reduce the number of participants in the program by nearly 1,000 students and

would increase the costs of the program by more than \$5 million.

Furthermore, it conflicts with the intent of the legislation. Because of the high number of private schools in the District, Congress allowed students who chose to stay close to home a greater range of options, similar to a State school program. However, it was never intended to supplement the private education to the same degree as public education.

Once again, I urge my colleagues to vote against his amendment and in support of the underlying bill.

At this time, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I will finish up with this. I thank the Senators for their debate and points of view.

The reason the average is \$6,500 is because you only give \$2,500 to the private. If you took all the private schools out, the average would be \$10,000. That is what you get. So to play the game with numbers is not accurate because when you filter in the \$2,500, you get that average of \$6,500.

I would make the point again, you, in fact, are discriminating against a young DC minority child who says I want to go to Morehouse State, and I want to major in X at Morehouse State. I know heroes of mine who went to Morehouse State.

Under this bill, you say you can't do that. They may be bright, but \$2,500 compared to that education, versus \$10,000 in public, doesn't begin to accomplish the level of financing and scholarships—it will be next to impossible. I ask you to reconsider. The intent of what you are trying to do—we can, in fact, appropriate more money for this. If I and GEORGE VOINOVICH and DANNY AKAKA go for a spending increase on an appropriations bill, that will make history in the Senate. That would make history. We could do that. We could find the money to do that.

The point is, why should we take away opportunity? Why should we be the parlayes of somebody's lost opportunity? We ought to give it to all, it ought to be equally based and ought to be based on their aspirations, their hopes for what they want to do. We should not artificially say because you want to go here, this is all the opportunity you get. But if you want to go somewhere that doesn't excite you, doesn't stimulate you, isn't going to give you as good an education, we will give you more money.

I think that is inherently wrong and disadvantageous to the very people we are trying to help. Not only should we want them to get the education, we should want them to get the best education, so they can be the best that they can be.

I will yield the floor.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays are ordered.

Mr. AKAKA. Mr. President, I yield the remainder of my time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. AKAKA. I ask unanimous consent that the order for the quorum call be rescinded.

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

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to Coburn amendment No. 2888.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from New Mexico (Mr. DOMENICI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 59, as follows:

[Rollcall Vote No. 337 Leg.]

YEAS—38

Alexander
Allard
Bennett
Bond
Brownback
Bunning
Burr
Chambliss
Coburn
Cochran
Corker
Cornyn
Craig

Crapo
DeMint
Dole
Ensign
Graham
Gregg
Hagel
Hatch
Hutchison
Inhofe
Isakson
Kyl
Lott

Lugar
Martinez
McCain
McConnell
Roberts
Sessions
Shelby
Smith
Stevens
Sununu
Thune
Vitter

NAYS—59

Akaka
Barrasso
Baucus
Bayh
Biden
Bingaman
Boxer
Brown
Cantwell
Cardin
Carper
Casey
Clinton
Coleman
Collins
Conrad
Dodd
Dorgan
Durbin
Enzi

Feingold
Feinstein
Grassley
Harkin
Inouye
Johnson
Kennedy
Kerry
Klobuchar
Kohl
Laudrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
McCaskill
Menendez
Mikulski
Murkowski

Murray
Nelson (FL)
Nelson (NE)
Pryor
Reed
Reid
Rockefeller
Salazar
Sanders
Schumer
Snowe
Specter
Stabenow
Tester
Voinovich
Warner
Webb
Whitehouse
Wyden

NOT VOTING—3

Byrd
Domenici
Obama

The amendment (No. 2888) was rejected.

Mr. AKAKA. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. BUNNING. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment, there is not a sufficient second.

Mr. BUNNING. Mr. President, I ask for the yeas and nays, please.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Connecticut (Mr. DODD), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from New Mexico (Mr. DOMENICI).

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 338 Leg.]

YEAS—96

Akaka
Alexander
Allard
Barrasso
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Boxer
Brown
Brownback
Bunning
Burr
Cantwell
Cardin
Carper
Casey
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Corker
Cornyn
Craig
Crapo
DeMint
Dole

Dorgan
Durbin
Ensign
Feingold
Feinstein
Graham
Grassley
Gregg
Hagel
Harkin
Hatch
Hutchison
Inhofe
Inouye
Isakson
Johnson
Kennedy
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain

McCaskill
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Pryor
Reed
Reid
Roberts
Rockefeller
Salazar
Sanders
Schumer
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Tester
Thune
Vitter
Voinovich
Warner
Webb
Whitehouse
Wyden

NOT VOTING—4

Byrd
Dodd
Domenici
Obama

The bill (H.R. 1124), as amended, was passed.

Mr. AKAKA. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:53 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).