# SENATE—*Tuesday, June 12, 2001*

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. BYRD].

## PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

God our Father, all Your attributes are summed up in Your goodness. It is the password for Your presence, the metonym for Your majesty, and the synonym for Your strength. Your goodness is generosity that You define. It is Your outrushing, unqualified love poured out in graciousness and compassion. You are good when circumstances seem bad. When we ask for Your help, Your goodness can bring what is best out of the most complicated problems.

Thank You for Your goodness given so lavishly to our Nation throughout our history. Today, again we turn to You for Your guidance for what is good for our country. Keep us grounded in Your sovereignty, rooted in Your commandments, and nurtured by the absolutes of Your truth and righteousness. May Your goodness always be the source of our Nation's greatness. In the name of our Lord and Saviour. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable ROBERT C. BYRD led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## RESERVATION OF LEADER TIME

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

## SCHEDULE

Mr. REID. Mr. President, we will resume consideration of the education bill. Senators KENNEDY and GREGG will be the managers of the bill. First thing this morning we will consider Senator GREGG's amendment regarding vouchers. There is an agreed-upon 4 hours. The Senate will recess from 12:30 to 2:15 for the weekly party conferences. We expect to vote in relation to the Gregg amendment at approximately 3:15. On the disposition of the Gregg amendment, the Senate will consider the Carper amendment regarding public school choice under a 2-hour time agreement. We expect additional rollcall votes tonight and during the week.

I spoke to the majority leader a minute ago and he wants us to work tonight late. Everyone should understand this bill will be finished this week. It doesn't matter what the people do to try to slow things down. We hope that is not the case. We will work until this bill is completed, whether it is Thursday, Friday, Saturday, Sunday. If necessary, we will go through the weekend. This bill will be completed. This is the eighth week we have been on this bill.

I ask that the time on the Gregg amendment start right now.

## BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

Pending:

Jeffords amendment No. 358, in the nature of a substitute.

Kennedy (for Dodd) amendment No. 382 (to amendment No. 358), to remove the 21st century community learning center program from the list of programs covered by performance agreements.

Biden amendment No. 386 (to amendment No. 358), to establish school-based partnerships between local law enforcement agencies and local school systems, by providing school resource officers who operate in and around elementary and secondary schools.

Leahy (for Hatch) amendment No. 424 (to amendment No. 358), to provide for the establishment of additional Boys and Girls Clubs of America.

Helms amendment No. 574 (to amendment No. 358), to prohibit the use of Federal funds by any State or local educational agency or school that discriminates against the Boy Scouts of America in providing equal access to school premises or facilities.

Helms amendment No. 648 (to amendment No. 574), in the nature of a substitute.

Dorgan amendment No. 640 (to amendment No. 358), expressing the sense of the Senate that there should be established a joint committee of the Senate and House of Representatives to investigate the rapidly increasing energy prices across the country and to determine what is causing the increases.

Hutchinson modified amendment No. 555 (to amendment No. 358), to express the sense of the Senate regarding the Department of Education program to promote access of Armed Forces recruiters to student directory information.

Feinstein modified amendment No. 369 (to amendment No. 358), to specify the purposes for which funds provided under subpart 1 of part A of title I may be used.

Reed amendment No. 431 (to amendment No. 358), to provide for greater parental involvement.

Dodd/Biden further modified amendment No. 459 (to amendment No. 358), to provide for the comparability of educational services available to elementary and secondary students within States.

Clinton modified amendment No. 516 (to amendment No. 358), to provide for the conduct of a study concerning the health and learning impacts of sick and dilapidated public school buildings on children and to establish the Healthy and High Performance Schools Program.

The PRESIDENT pro tempore. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I understand the proponent of the amendment, Senator GREGG, will be here momentarily. I back up what our leaders have stated. We are interested in the completion of this legislation. We have been making progress in the disposition of amendments, but we have a number of our colleagues who have said they are not ready to call up their amendments. That might have been a reasonable comment a week ago or 4 weeks ago or 5 weeks ago, but it certainly is not now. We are going to move ahead. Regrettably, there are ways we can ultimately dispose of these amendments if we are put in that position.

What is completely unacceptable and completely unfair to our colleagues is the failure to bring these amendments up and to indicate to the floor managers a willingness to work through these amendments.

We are glad to have the votes when the votes are due. We are glad to debate amendments, discuss them, and accept them when we can. We are glad to cooperate in every way. We have received the strong direction from our leader saying we want disposition. This bill has been before the Senate for 8 weeks. Members have had an opportunity to study it, to read about it, to think about it, and work with their staffs. There is no further reason for delay. We will make every effort to dispose of the amendments in a timely way. We are prepared to work long and hard on these measures. We intend to accept the leader's challenge and complete the work this week.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent the time that has been running against the amendment be charged equally against both sides. I am going to suggest the absence of a quorum and request the time be charged equally.

The PRESIDENT pro tempore. Is there objection?

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

There being no objection, that will be the order.

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

The PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GREGG. I thank the Chair.

AMENDMENT NO. 536

The PRESIDENT pro tempore. Under the previous order, the Senator from New Hampshire, Mr. GREGG, is recognized to offer amendment No. 536, on which there will be 4 hours for debate.

Mr. GREGG. I ask that the clerk report my amendment.

The PRESIDENT pro tempore. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for himself and Mr. HUTCHINSON, proposes an amendment numbered 536.

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

The PRESIDENT pro tempore. Without objection, it is so ordered.

(The text of the amendment printed in the RECORD of May 9, 2001, under ''Amendments Submitted''.)

The PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Mr. President, this amendment has popularly been referred to as the choice amendment or the portability amendment. It is an amendment which is crucial to the issue of how we are going to approach education as we proceed as a nation. It is crucial for a lot of different reasons, but primarily it deals with a group of people in our country who have been left behind in our educational system. It doesn't deal with the wealthy. It doesn't deal with those of moderate income. It really deals with low-income people, most of them in urban schools, who find the school systems their children are put into are failing and that their children are being left behind.

The American dream, which is the essence of what makes our country such a vibrant nation, is tied to the ability to be an educated individual. You cannot participate in the American dream unless you are well educated, unless you can compete and participate in our society, and that requires a quality education.

So when you go through a school which does not teach, which is filled with violence or filled with drugs, when you know every day a child who goes to that school is falling further and further behind his or her peers in other schools because that school is not able to teach that child, then that child cannot participate in the American dream—you are denying that child the opportunity to participate in the American dream.

There are many attempts in this bill to correct the problem. There are many initiatives in this bill to try to make failing schools work better. Regrettably, they are not going to all work. There will continue to be schools that fail.

Today, in our system of education, literally thousands of schools across this country are defined as failing schools, and that means that thousands, tens of thousands, potentially millions of children, unfortunately, are in schools that are not educating them adequately.

So, one option that should be given to the parents of those children is to allow them, after their children have been in a failing school for a period of time and the school has not improved even though attempts have been made to improve it—to allow those children, and the parents of those children, to have other options, to go to schools where they will be able to learn, where they will be able to succeed, and where they will, therefore, be able to take advantage of the American dream.

This bill, hopefully, will include an expansion of what is known as public school choice. But there are a lot of communities in this country, regrettably, that have no public schools that are not failing to which kids can move. Therefore, the option of going to some other type of school, a private school, should be available to them.

In our society, if you have a fairly decent income, you can leave the public school system and go to a private school. A lot of people who have the income to accomplish it choose that option. The former President of the United States, for example, chose that option. But if you are a single mother, especially a single mother in an urban area, trying to raise your children on a low income, you do not have that option; you are stuck in that failing school. Your children are sentenced to that school even though the school is unable to accomplish what it is supposed to do, which is to teach your children.

This amendment is not going to fully address the issue. I wish it would, but it is not. This amendment is going to set up a demonstration program, and a very limited demonstration program, the purpose of which is to see if private school choice using Federal dollars can alleviate the problem to some degree, can allow some children today, who are not in schools that are teaching them, to go to schools that will teach them; to allow some children to have a chance at the American dream who do not have it today. Private school choice is used in a lot of public systems.

Remember, when you are talking private school choice, it sounds as if you are saying the public schools are left out of the process. In the public system, they use private school choices. Today, in the public system, the elected officials are responsible. They make the decision that children in the school system should have a choice between a public and private system. It is used in a lot of different communities. It is used in Milwaukee. It is used in Cleveland. It is used in Florida. It is used to some degree in Arizona.

The difficulty, of course, behind this is that these States and these communities have come to the conclusion that they will improve their public school system by allowing some of the children in their public school systems to have the option of going to a private school if the public school isn't working well.

This demonstration program is an attempt to follow the leadership that has been shown already by a lot of other public school districts across this country who have chosen to put in place a private school option as part of their public school education system, as I said, in a very limited proposal. In fact, I intend to modify it to make it even more limited as we go down the road. But, essentially, under the present structure, it will only be voluntary, and it will only apply to families who make less than $32,000 a year. This is not going to be a high-income option. It will only apply to families who make less than $32,000 a year and whose children are in school systems where the school has failed for 3 years. That means by definition, that child, if he or she is in the third grade, is already probably 3 years behind their peers in the school system that is working correctly.

It will also be limited as to the number of groups that can participate to 3 States in 10 school districts.

It is a very small demonstration program. It will be limited to $50 million, funds which come from outside the title I program.

It cannot be argued that the dollars to fund this demonstration program are in any way undermining the dollars available to the public school system. This will be a new pool of money available to fund the child who moves on to a private system because the school system isn't working correctly.

It will also have as a component that special consideration must be given for applications of students coming from the highest number of low-income families. It will really focus on those families who need it the most, who, in my opinion, happen to be in primary instances single moms trying to raise their kids mostly in inner-city schools.

Since the purpose of this amendment is a demonstration grant and a small one at that, it will have an extremely aggressive evaluation procedure so that we can find out whether or not private school choice under a public school system works.

Parents in our urban schools have been waiting for this type of reform for a long time. There has been a lot of rhetoric about it. About every 2 years, the superintendent of the District of Columbia school system changes. While the system of the superintendent changes, the school systems regrettably don't. We continue to see failure.

Today we have 9,000 schools across this country which are identified as failures—9,000 schools. Some have been identified as failures for 4 years, for 6 years, and for 8 years.

It is not unheard of, for example, for an entire public school district to be identified as failing. That is the case, for example, in Kansas City. Clearly the parents there, have no option. They cannot go from one public school to another public school, because all of the public schools in the districts have failed.

As a result of this failure, we have seen especially a debilitating impact on minority kids. We know, for example, that today two out of every three African-American students and Hispanic students in fourth grade can barely read. Seventy percent of the children in high-poverty schools score below even the most basic levels of reading, and half the students from urban school districts fail to graduate on time, if they graduate at all.

We need to give the parents of these children an additional option.

There is, I believe, great interest in this. You don't have to believe me. You don't have to take this as just a vague statement because there have been exercises in this area that have shown this, especially from low-income families.

The Children's Scholarship Fund, which was founded by Ted Forstmann and John Walton, created a private foundation to provide scholarships to low-income children who wanted the opportunity to go out of the public school system into a private school system. They received 1.25 million applications from poor families across the country. Unfortunately, they could only give out 40,000 scholarships. But in New York City, 29 percent of the poor families of school-age children applied. In the District of Columbia, 33 percent of families of poor children applied. In Baltimore, 44 percent of poor families with school-aged children applied.

Joseph Califano, in commenting on this, said:

> These parents sent a powerful message. They want out of schools that cannot protect their children's safety, let alone teach them. This tidal wave of applications from parents desperate to give their children an opportunity to receive a quality education must serve as a wake-up call . . . By quarantining poor—

That is probably the best way to describe it because that is what we do in our society—

> mostly minority children in schools affluent families would never tolerate, we do not preserve the institution of public education. We dishonor its guiding ideals.

Alveda King, the niece of Martin Luther King, in commenting on this, said:

> . . . some children receive a better education than others due to their parents' abilities to pay for benefits that are often missing in public schools. This inequity is a violation of the civil right of the parents and children who are so afflicted by lack of income and by the mismanagement endemic to so many of the country's public school systems.

Some would say if you take this option, you are going to undermine the public system because you are going to take kids out of the public system and put them into a private system. Of course, we really do not know what will happen because we have never tried it at the Federal level. But we do have examples of what has happened in public school systems in other communities that have tried to put in their State and local dollars.

We know, for example, that in places such as Charlotte and Milwaukee the public school systems have been perceived, at least by the local community, as improving significantly as a result of a private school choice.

A study, in fact, which was done by Harvard economist Caroline Hoxby, found the Milwaukee private school choice program pushed the city's public elementary schools to improve.

Quoting from the leadership in the Milwaukee public school system, Kenneth Johnson, vice president of the Milwaukee public school board of directors and an AFL–CIO member, said:

> Private school choice is one of the best things that ever happened to my city's public schools. . . . When choice came about, the Milwaukee Public School System had to rethink education. It's now a matter of seeing parents as customers.

Milwaukee public school superintendent Spence Korte said:

> Between choice and the general decline of live births, we're all feeling the pinch to make sure that people understand what our programs offer and, certainly that we're competitive.

In other words, the school systems are improving as a result of choice.

John Gardiner, an at-large member of the Milwaukee public school board of directors and a member of the NAACP and the ACLU, stated the following about the effects of choice on public schools in Milwaukee:

> My involvement in the MPS—as a member of the school board, as a parent and as an active and concerned citizen—has persuaded me that MPS's internal reforms require the sustained challenge and competition of the Milwaukee Parental Choice Program. The program puts effective pressure on MPS to expand, accelerate and improve reforms long deliberated and too-long postponed.

The simple fact is, we have seen in Milwaukee, which has tried public school/private school choice options aggressively, a significant improvement in the school system and a significant improvement in the quality of the education of the students, which is the basic goal.

In Florida the same situation can be cited. Florida has a statewide choice program where they rate the schools; and if you are in a school that is rated D or F, you have the opportunity to choose a private school option.

The Urban League of Miami found that the Florida voucher plan instilled in public schools a sense of urgency and zeal for reform not seen in the past, when a school's failure was rewarded only with more money that reinforced failure.

It is fairly obvious, I believe, first through just looking at the situation and in reviewing it, and from intuition, that if you create competition you usually improve a product.

The reason somebody chooses McDonald's over Burger King is because they think the product is better at one or the other. Regrettably, our public school systems have not ever had the competition necessary to improve the product.

The purpose of choice, of course, is not to undermine the public school system; it is just the opposite. It is to create an incentive for reform in the public school system which improves those systems. That is exactly what has been seen to happen in those areas of our country where choice has been given a reasonable opportunity to be tested, specifically in Milwaukee and Florida.

What about student achievement, which, of course, is the bottom line? The goal is to take these kids who have been locked in a failing school, who are reading at two or three grade levels behind their peers, who are not graduating, who, therefore, cannot participate in the American dream, and give them an opportunity.

Every major evaluation of school choice effectiveness has found significant academic gains for the students participating in those programs. Test scores in Milwaukee, Dayton, and Charlotte have all been reviewed by scholars from Harvard, Princeton, Stanford, Georgetown, and the University of Texas. In all those communities it has been determined that the kids who have been able to participate in the private school option have had their test scores go up. These, in all instances, have been kids from low-income families, urban poor in most instances, who before they had this option were left out of the American dream.

We have spent $120 billion in the last 35 years on title I, directed at trying to help low-income kids. The result of those expenditures has been that low-income kids are reading two grade levels below their peers and are graduating from high school at half the rate of their peers. There has been absolutely no academic improvement in those kids over this 35-year period. In the last 10 years, when we spent the

most amount of money, the academic improvement also has not increased at all.

There has been $120 billion spent to try to help kids who have come from low-income families, and we have left them behind. It is a disgrace. We have locked these children in schools where they cannot learn because there is violence, because there are drugs, and because the school system simply will not respond to the needs of those children.

What I am suggesting in this amendment is a small step—a two-tenths of 1 percent step compared to what we spend in the rest of title I in this bill—to be applied to a demonstration—$50 million—to see if we can determine whether or not the option of giving children a private school choice is going to improve their academic achievement. It is hardly a big expense in the context of what we have done, but if you look at it in the context of what the results have been in communities such as Milwaukee and Dayton and Charlotte and the State of Florida, the returns may be overwhelming.

This could be the best investment we make in this entire bill in terms of giving kids an opportunity to learn and participate in the American dream.

Are parents satisfied with this option? If you look at the States and the communities that have used this approach, parents are extraordinarily satisfied.

In Charlotte, nearly twice as many choice parents gave their children's school an A rating as did those parents whose kids went to public schools.

In Milwaukee, 72 percent of the parents with kids going to private schools gave their kids' school an A rating as compared to 16 percent for the public schools.

So the impact is significant. The parents see it and, most importantly, the children see it in their better chance to participate in America.

One of those images that stands out from when I was a kid watching TV—and I do not even remember the Governor's full name; I guess it was Faubus, from Arkansas—I remember the National Guard going up to the school. I must have been in the first grade or so or maybe I was in the third grade. The National Guard went up to the school door, and this elected official, who was the Governor of the State, was standing in the school door saying he was not going to let this child, who seemed to be a little bit older than me, about the age of my brother—I think it was a girl—in the school. I could not understand it. Of course, we learned this was wrong. And we changed our Nation because of it.

Today what we have are people standing in that school door not letting kids out, locking them in those schools which are not teaching them. And why? Why are they doing that? Because the bureaucracy and the labor unions fear the option of giving parents a choice. It is that simple.

This is not about education. This is about the power of political groups to influence the process. When you have lost generation after generation of kids to schools that are failing, when you have 9,000 schools in this country that are designated as failing, and those schools have failed for 4 and 5 and 6 and 8 years, and you know that every child who goes through that school is not going to have a chance to participate in the American dream, Miss King is right, a civil right is being denied—absolutely being denied to those children—simply because they do not have the wherewithal to get out of that school and get a decent education.

In this bill we attempt to improve those schools that have failed. We make a huge commitment in that area. But we know we are not going to be successful everywhere. We know that. We know that in some urban areas the schools simply are not going to cut it, and the kids who go to those schools are going to be left behind.

We have an obligation, I believe, to at least find out whether or not there isn't a better way, to first give that child an option to get a decent education and, second, to put real pressure on that public school system to improve.

We have seen it work in Milwaukee. We have seen it work in Charlotte. We have seen it work in Florida. And for a small amount of $50 million, we can see whether it can work here with the Federal Government, targeted solely on the child who comes from a low-income family and who is stuck in a school that has failed for 3 consistent years.

I can't see how this amendment can be opposed, other than on the grounds that it affronts the power politics of Washington, DC, which are structured around bureaucracies and labor unions that will at all costs defend their turf, even if that cost involves a child's education.

Mr. President, I yield to the Senator from Arkansas such time as he may consume.

The PRESIDING OFFICER (Mr. CORZINE). The Senator from Arkansas is recognized.

Mr. HUTCHINSON. Mr. President, I thank the Senator from New Hampshire, Mr. GREGG, for his leadership on this issue. He has outlined not only what this amendment is but what it would do and why it is so important.

It would enable 10 interested cities, 3 interested States, to provide low-income parents with the option to send their children to the public or private school of their choice. The Secretary of Education would award grant money to these interested cities and States based on their application.

Under the amendment, special consideration would be given to applications which sought to serve the highest number of children from low-income families and that provided parents with a diverse range of schools from which to choose. No money would be taken away from public schools for this program. Whether it is title I or IDEA, there would be a hold harmless. Nobody would be reduced. A pool of money of $50 million would be established in fiscal year 2002 to be used for this new program.

Only children who are eligible for free and reduced-price lunch, children from families at 185 percent of poverty or below, and who attend a school that has been identified as failing for 3 successive years would be eligible to receive educational certificates for tuition under this amendment.

There is also a strong evaluation component to this program. It requires the Secretary of Education to contract with an independent evaluating entity to conduct an ongoing evaluation of the program. For all the doubters out there, we would at least be able to provide the data, to provide the evidence one way or another on whether choice really benefits students and parents and, in fact, improves public schools.

The Center on Education Policy, an independent advocate for public schools, states in their report entitled ''School Vouchers: What We Know and Don't Know and How We Could Learn More,'' evaluation requirements are important to any public policy on school choice.

This little pittance of $50 million for the entire Nation could provide us the kind of database we need, the kind of evidence, the kind of analysis to allow public policymakers of the future to know. Senator GREGG and I may have the confidence—we may believe the evidence is there—but this demonstration program will provide the kind of evidence needed to convince policymakers, both at the State and Federal level, of the value of a choice program.

The idea of school choice is not at all new. It has been around for years. We currently have three high-profile school choice programs in Milwaukee, Cleveland, and Florida. There are a number of others around the country. They offer a money-back guarantee to parents of children in failing schools.

Taxpayers deserve to get results from funding that goes to public schools. After 35 years and $120 billion in Federal funding, it is time we hold schools accountable for enabling our children to reach high standards.

In my own thinking, as I have cosponsored this amendment and thought about the issue of what is the legitimate role of the Federal Government, do we have a role, I believe it must be very limited. I do believe, however, that a demonstration program that targets only low-income students—and that has been the basis upon which the Federal Government has involved itself

in a domain that has been historically left to State and local entities; we have said the Federal Government has a responsibility for disadvantaged students in trying to narrow the learning gap between advantaged and disadvantaged students—fits the proper Federal role. This amendment targets directly those who are disadvantaged. Only low-income students from low-income families would be able to access these education certificates.

In my own mind, I have outlined five reasons I believe this amendment should be passed. No. 1, it is totally voluntary and permissive. We are talking about 10 cities in 3 States. No one would be forced. There would be no compulsion. I know some of my colleagues from Western States do not support the idea of choice. They don't see that as advantageous in their particular situation. I understand that. I ask them—not for what it might do for their rural States in which there are few choices and in which schools are widely diverse and separated by many miles—to think, as they vote on the amendment, not about their States, because it will not affect them, but about those children trapped in failing schools in the inner cities of our country, to think about inner-city Philadelphia or inner-city Washington, DC, or Atlanta or Houston where the Secretary of Education understands the value of this kind of a program and has endorsed this very concept.

No one would be forced to be involved. There is no compulsion. There would be an independent entity to evaluate and determine whether or not this was a worthwhile approach.

A report prepared by the National Research Council and commissioned by the Clinton administration recommends that Government conduct ''a large and ambitious research experiment to determine whether school choice programs improve student performance.'' That was the recommendation of a study commissioned by the Clinton administration, issued in 1999, that said this is exactly the kind of large-scale experiment—if you can call $50 million nationwide large scale—to give us the answers to the questions posed concerning the value of a choice program.

I believe choice opponents, those who oppose the idea of allowing parents this kind of choice, should support this amendment. If in fact they are right, this will give them the data to put the stake, finally, in the idea of choice programs.

It is totally voluntary. It is entirely permissive. I hope my colleagues who have reservations about choice will support this amendment, realizing that no school district and no State would be required to participate. It is entirely permissive. Only those who are interested, only those who, on their own volition, decide they want to experiment, they want to try, they want to be a part of this demonstration program, will even be affected.

No. 2, I ask my colleagues to support this amendment because in fact it does target and benefit those for whom we have our greatest concern—low-income families. It would only be failing schools, those who have failed year after year after year. The certificates would only be for children who are eligible for free and reduced lunch.

We have a form of choice in this country right now. The choice, though, is limited to your ability to move to a new neighborhood. I am told that in Dallas, TX, there are about 158 local schools. Affluent families are limited in their choice of what elementary school to go to only by their ability to buy a home in that particular neighborhood.

Those who have the means to relocate—and it happens here in the Washington, DC, area. When people think about buying a home or a townhouse, they will investigate the neighborhood, the schools, the crime rate, and they will check out where the best schools are, which schools have the best teachers, which schools produce the best academic product. They will make their determination of where they want to locate, buy their townhouse, or build their home based upon the quality of the schools. They have their choice.

But those who have no choice are those who are trapped by a limited income and limited resources and cannot make the decision that their more affluent neighbors can make to move to a better neighborhood. Those low-income families are trapped. They have no choice.

My friends, we have a choice program in this country. The choice is whether we want to extend those choices to those today who are left out, who don't have the resources. This amendment targets only those who are in the title I category, those who are low income.

In August of 2000, Dr. Jay Greene issued a report entitled ''The Effective School Choice and Evaluation of the Charlotte Children Scholarship Fund.'' He released the results of that study on the Charlotte scholarship program. Among the study's findings, he found that school choice improved scores, pleased parents, provided a safer environment, reduced racial conflict, operated with less money, and offered smaller class sizes and helped low-income parents.

In early 2000, John Witt, a professor of the University of Wisconsin, Milwaukee, the official evaluator of the Milwaukee school choice program, released the results of that latest study. His prior reports, which often had been critical of the Milwaukee choice program and basically concluded they didn't work, most recently changed his conclusions and said the market approach to education and analysis of America's voucher program said that ''choice is a useful tool to aid low-income families.''

That is the reason I ask my colleagues to join in supporting this amendment because it is targeting only the most disadvantaged. The argument so often raised against vouchers is this is only going to benefit higher income people making the choice to go to private schools and this is going to make it easier for them to flee the public schools for the private schools. You cannot make that case under this amendment. It targets and it is limited only to failing schools and low-income families.

Low-income academic improvement has been undisputed in the choice programs in this country. In August of 2000, Harvard University professor Paul Peterson and his colleagues released the results of a study of a privately funded voucher program in New York, in Dayton, OH, and in the District of Columbia. They found that African-American children who used vouchers to attend private schools made significant academic improvements. Black students in their second year at a private school had improved their test scores by 6.3 percentile points—a striking advance at a time when schools around the country were showing an inability to close the achievement gap between white and African-American students.

If we are really concerned, as we insist we are, in increasing title I funding because of our concern about disadvantaged students, everyone who says that should support this amendment because it can only benefit those who are least advantaged today.

Another piece of evidence is that test scores of low-income children are consistently improving when they are placed in schools with middle-income children. For example, a congressionally mandated 4-year study of about 27,000 title I students found that poor students who attended middle-class schools performed significantly better than those who attended schools where at least half the children were eligible for subsidized lunch. The contrast was even greater with schools in which more than 75 percent of students lived in low-income households. I think that is very compelling; that this kind of a demonstration program, this kind of a choice opportunity is going to be particularly beneficial academically for low-income, disadvantaged students who now would be able to be shoulder to shoulder in a school that had higher income students—what we call middle and upper middle class students. The evidence is that when put in that classroom context, academic scores go up. I ask my colleagues to support this amendment because, in fact, it targets and benefits the most needy—low-income students.

Thirdly, it takes absolutely nothing from the public schools. No State will lose money. Not a State in this country would see their portion of Federal funding reduced because of this amendment. There would be no title I reductions; there would be no IDEA impact. All of the kinds of traditional arguments we hear against choice programs are taken off the table by this amendment. No school would lose money; no public school would be hurt. It would merely provide an opportunity—a small opportunity indeed—for $50 million statewide, 3 States, 10 cities—but it would begin to give us the evidence we need, and it would give hope to a few who would be able to participate in this demonstration program.

It answers the main concern that opponents have raised, and that is that it is taking money away from public schools. It will not do that. I think that is evidenced by the fact the Washington Post endorsed the Gregg amendment. Everybody—all my colleagues—has on their desk a copy of that endorsement. Their concern has been that these kinds of choice programs are going to take money away from the public schools or they are going to only benefit higher income people. This amendment addresses both of those concerns. That is why the Washington Post has endorsed this amendment, because it targets the low income and will have no negative impact on public schools.

Fourthly, I ask Senators to support this amendment because this whole concept is, in fact, immensely popular. It is supported by the vast majority of the American people—this kind of idea to give parents more choices and more opportunities.

For example, a congressionally mandated 4-year study of about 27,000 title I students—I made reference to that, but they showed great academic improvement. The popularity of this program is becoming increasingly beyond dispute.

In March 2001, the National Education Association released their findings from a recent survey in which a clear majority of the American people supported the President's proposal to allow parents of children in chronically failing schools to use public dollars to send their children to a public, private, or charter school of choice. In fact, 63 percent favored giving them tuition vouchers worth $1,500 a year, as the President originally proposed.

Frankly, I wish we had done what the President campaigned on and what he proposed doing, in taking part of that title I money, the Federal dollars, for low-income children, and in chronically failing schools that failed in 3 successive years, giving them the opportunity to take that money and use it in private schools, with tutors. That has been watered down, diluted, and basically removed. All that remains is supplemental services, not a voucher at all. I wish we had done that. The American people supported that. But we didn't and we are where we are. This is our opportunity to at least give it a try. It is supported and is very popular.

Senator GREGG cited the statistics during his opening comments that last year the Children's Scholarship Foundation, a private scholarship fund, offered 40,000 scholarships nationwide and had one and a quarter million applicants. Maybe that is the best evidence. Maybe that is the best evidence of the popularity of this approach. Those one and a quarter million applications were in spite of the fact that applicants had to match the scholarship with $1,000 of their own money. Low-income, poor families were willing to put up $1,000 in order to be able to participate, to have the choice that wealthier, higher income people have every day.

This is a popular concept. It is something we as a Senate, we as a Congress, should give a trial opportunity—or fail. We should not buckle under to the teachers unions and those who are wedded to the status quo. If we are concerned about leaving no child behind, this is an amendment that ought to get overwhelming support in the Senate.

I ask my colleagues to support this amendment because it fosters competition and innovation. I believe competition between private schools and public schools benefits all children in this country.

I have often used the analogy of our higher education in this country. We have, indisputably, the best higher educational system in the world. Travel the world; we find leaders in most of the countries of this world who have received part of their higher education in the United States. Foreign students flock to this country to receive the best in higher education. How did we achieve that? We created a system of Pell grants. One can take that Pell grant and go anywhere, any accredited institution: public, private, parochial or otherwise. That competition has enhanced the quality and the academic standing of all of our institutions of higher learning. It has fostered innovation and made our colleges and universities world class by all standards.

Then we look at elementary, look at high school, and see between 4th grade and 12th grade this steep decline in our competitiveness with other nations. The difference is, in higher education, there is choice; in elementary and secondary, there is no choice unless you are wealthy enough to take advantage, unless you have the resources. Then you have choice.

Why should we not give low-income parents the same opportunity, the same choices, the same chance to give their children the opportunity to live the American dream that their more affluent neighbors have? That is the heart, that is the crux of the Gregg amendment.

I believe, as we have seen in Milwaukee, public schools will improve and academic achievement for all students will improve. It is one of the interesting things about the Jay Greene study on the Florida A+ program. It was not just the students who were beneficiaries but the public school institutions that are the winners. He found when a public school failed for the second time and they began to have the threat that some of their students might depart and receive opportunity scholarships to go elsewhere hanging over them, suddenly those test scores began to increase. In fact, they increased twice as much as those test score achievements in other schools. So the schools of all stripes are the winners under a program such as this. That competition is healthy.

America today has, whether we admit it or not, a nationwide school choice system. It is a school choice system that is rationed, rationed educational opportunity, through the housing market—where you can afford to live. If you can afford to move out into the suburbs, if you can afford to go and pick your neighborhood where the good schools are, you have your choice.

We have a very class conscious choice system in this country. The Gregg amendment says shouldn't those who stand to gain the most, those who are the most disadvantaged, those who are in the lowest income homes, have some choices, too? They have been locked out of those choices. They have been trapped in failing schools. They don't have the opportunity to move away from their neighborhood. When given the chance, through private scholarships, limited as any are, the private scholarship students have taken those opportunities because they know what is at stake is the children's future.

That is why I ask my colleagues to consider this amendment—not just to write it off as a choice program that may or may not benefit your particular State, or to write it off and say, I have always said I oppose choice so I will vote against this without even examining what it does or who it targets, or to say, I don't want to take the heat I might receive from the National Education Association or other groups that are wedded to this system we have had for 35 years. If we believe our commitment and our responsibility as Federal public policymakers is to help low-income, help disadvantaged kids, then look at this amendment.

I remind my colleagues again, it takes nothing away from the public schools. It does not diminish by one dime the resources they have. It targets only the low income.

Let's give it a chance. Look at the data: $50 million, 3 States, 10 cities.

Let's give the most needy in our society the same choice the most affluent already have.

Mr. GREGG. I thank the Senator for his excellent statement and yield to the Senator from Tennessee 5 minutes.

Mr. FRIST. Mr. President, I will be brief. I rise in support of the Gregg amendment. The amendment is locally initiated, limited in scope, and voluntary. It is a pilot program. It takes nothing away from other educational funds. It involves a rigorous evaluation to monitor whether the pilot program is successful.

The power of this amendment is in how it addresses the underlying premise of leaving no child behind, the premise that no child should be locked in a failing school, a school that fails year after year after year. It gives parents the right to do what is best for their own children, giving them opportunities, giving them alternatives if their children are locked in a failing school.

Imagine a married couple making $30,000 a year. Their fourth grade daughter attends a school which fails to meet national standards. This school is failing to adequately education their daughter. The parents know their daughter's future depends on the education she receives from the school she attends.

The daughter graduates to the fifth grade, and again, things do not seem quite right. At the end of the year, by national standards, they find, once again, this school their daughter is attending has failed and has not improved. Again, they know their daughter's future depends on the quality of the education she receives in reading, math, and science. She goes on to the sixth grade.

At the end of the sixth grade, she is not progressing. In fact, she may be one of the 30 or 40 percent of the students who are proficient at only a very basic educational level. These parents have sent their daughter to a school which has failed to adequately education her for 3 years. As things now stand, these parents have no choice to improve their daughter's education. She is trapped in a school that is failing.

They only make $30,000. They watch, as some of their neighbors who earn a middle class or higher income leave the school district. Their neighbors have a choice because of their personal income. By moving, they say: we will not allow our children to continue in this failing school year after year after year because it destroys the opportunity for our children to experience the American dream we talked about this morning. But the parents of this daughter don't have that option. They can't afford to move. They only make $25,000 or $30,000. They have no choice. They are trapped. They are trapped.

This is the focus of the amendment at hand. For the first time, low income families—those who earn less than $32,000 a year—will have the opportunity to choose. They will be able to remove their children from a school which has failed for one, two, three years and place them in another educational facility so their children have the opportunity to realize that American dream.

This is why I believe so strongly in this pilot program proposed in the amendment put forth by the Senator from New Hampshire. This amendment gives parents a right to do what is best for their child. We have too many failing schools today. Nine thousand schools in our country have been identified as failing, and many of those schools have failed for 4 years and 6 years and 8 years. These are the sorts of school districts we hope to give this voluntary opportunity, this choice, this option for parents to do what is best for their child.

There is broad support on this issue, as the Senator from Arkansas has pointed out. Parents, especially low-income parents, broadly support school choice. The Children's Scholarship Fund is a nonprofit private foundation which provides K–12 scholarships for low-income families. When they put out their call for applications, over 1.25 million applications from around the country came from poor families. Right here in the District of Columbia, 33 percent of the families eligible for those scholarships applied.

A recent poll conducted for the National Education Association found that 63 percent of Americans support choice for children who attend failing schools. Support for choice is highest within the African-American community.

This amendment is good for public schools. Again, as pointed out, competition is a factor that we know produces quality products and services in America today. In order to improve our public schools, competition must enter the educational equation. This is one step in the right direction.

Second, this amendment is locally initiated. The application must be made at the local level. Washington must not force choice on a local community. This amendment simply opens the door for those who wish to participate in this pilot project. It empowers State and local education authorities to initiate this program.

Lastly, it is limited in scope. To qualify, families must meet two criteria: Families must earn less than $32,000 a year and must attend a school which has been failing for 3 years.

For these reasons, I urge support for and ultimately passage of this very important amendment.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. I thank the Senator from Tennessee.

I yield to the Senator from Alabama 5 minutes.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator from New Hampshire for his leadership and dedication on this issue. He cares about children deeply. He cares about public education. He wants to see it more successful. This is not some sort of plan to weaken public education.

As I have listened to him discuss his vision for making sure children are not trapped in schools that are utterly failing and having their futures damaged, I have become convinced, as much as I believe in public education, that this is a project we ought to try. We ought to allow this opportunity for alternative ways, particularly in programs for low-income children in failing schools, and let's see how it works.

I think it is appropriate for the Federal Government to utilize money under these circumstances to help analyze, through very effective examination of these programs, whether or not they are working. If it is clearly a benefit, maybe we ought to do more. If it is not a benefit, maybe that will be the end of it.

I certainly think allowing 3 States that voluntarily choose to participate in this program, 10 cities that voluntarily choose to participate—not who are made to participate; it is their option if they would like to participate in this program—let's try it, but let's monitor it, let's watch it, let's see how it goes. I think we may find progress will be made.

We do know one thing for sure. There are nearly 9,000 schools in America that have been identified as failing, many of those for a number of years, some 4, 6, 8 years failing consistently. I think it is inconceivable—really immoral—not to take some steps to deal with that circumstance.

These children are falling behind in those schools. Those children have to be falling behind. They are not receiving the quality of education other children are receiving in succeeding schools. It is difficult for them. They come, many of them, from not an ideal home life, and then they are sent to a school system that is failing. No wonder they tend to have great difficulty.

What can we do for them? I was a U.S. attorney for a long time. A lot of people haven't thought about this very clearly, but the law requires them to go to that school. They do not have any choice whatsoever. If they live a few blocks over this way, they may be in a school that is quite successful, but because they are in this school district, they must, by law—all over America, that is the pattern—they must go to that school. They are ordered to go to that school. Many times they are being ordered year after year, week after week, day after day, to go to a school that is not functioning and is not succeeding.

There is something wrong about that. I know people, as the Senator from Arkansas said, who check out the school district, and they have the money to decide where they want to live, and they move to a district where they are comfortable. People know the schools that are working and the ones that are not. I think we can do better.

This is a voluntary program for only 3 States if 3 States apply, 10 cities if 10 cities apply, to let them try these programs under a strict evaluation process. I believe it can be helpful for America.

The moneys that will support this will not in any way come from existing programs. It will provide new money but not a whole lot of money to make this occur. It requires families be poorer families, not people who have the money themselves to perhaps take advantage of choice. No title I money will be spent. Rather, an additional $50 million will be made available to the handful of cities and States that choose to participate in this program. It provides additional resources to carry out this demonstration project that I believe will work.

The evaluation that will occur is going to be healthy. It is going to examine and measure student achievement in the alternative situation. It is going to measure parental involvement in education with parental involvement increased. It is going to evaluate the satisfaction of parents and all involved in the program. And it will evaluate the overall impact on the performance of the public school system. In other words, if it is damaging the public school system, we will find that out.

The PRESIDING OFFICER. The time yielded to the Senator has expired.

Mr. SESSIONS. I will just wrap up and say the Secretary of Education, Dr. Paige, tried it in Houston, a huge school system—I ask for 1 minute to wrap up—favors this idea.

Mr. KENNEDY. We have no objection.

Mr. GREGG. I yield the Senator 1 minute.

Mr. SESSIONS. He said in Houston it made them better. In the first year or two, they lost some students and people complained. He said: I supported it. If people could get a better education somewhere else, it was all right with me. I cared about those children. But—he said—do you know what happened? We improved our school system so much in Houston that as years went by they were coming from private schools to the public schools; the public schools grew at the expense of private schools because we got better. He said there is no way a private school can succeed and beat a public school in the long term, if it is run right.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I will yield myself 30 minutes. I would like to be reminded when I use 25.

H.L. Mencken said at one time that for every complex problem, there is a simple easy answer, and it is wrong. That is what we have here, a simple, easy answer to all the problems we are facing in our troubled schools across this country, and it is basically and fundamentally wrong; it does not work.

I will take the time to illustrate the flawed nature of this amendment, and those Members with further interest are welcome to contact our office, and we will provide a more detailed account of the state of education in each of the cities that host voucher programs. These programs have not worked. Vouchers do not work. Furthermore, this is not really a debate about true ''choice'' because, under this amendment, parents would not exercise a choice. Schools would exercise a choice.

It is not a parent, it is not a 30-year-old mother with a single child who makes a decision to go to a private school. That is malarkey. That does not exist. Under this amendment, the decision is made by the school.

I have listened to speeches time and time again state that approximately $130 billion has been expended on title I, but we haven't seen increased academic achievement among the nation's students in need. Meanwhile, America spends nearly $400 billion annually on elementary and secondary education. Those skeptical of increasing funding for education cite $130 billion over 20 years or 30 years. The real reason we have poor schools and low student achievement is that we have not yet stepped up to the plate. Federal dollars provide only 7 cents of every dollar spent on education in this country. The remainder of the responsibility rests with States and local communities. It is the responsibility of States and local communities to provide local schools with the help that they need to succeed. We are trying to address this issue at the federal level, but cannot do it alone. I think we have a good bill that can make a difference if it is adequately funded.

With all respect to my colleagues, they have spoken about about leaving no children behind, yet they leave two-thirds of the children behind with the funding currently provided for Title I. In the past, we have shed crocodile tears all over the Senate floor about leaving children behind. They are already being left behind, and that is wrong. As the allocations of current funds demonstrate, and under the current budget proposed by the President, 3.7 million children will be provided funding. Under the Dodd-Collins amendment, we have proposed funding for 5.7 million children, building up to full funding. That amendment has now been accepted to this bill.

Along with an oratory on leaving no child behind, let's also ensure that we truly do not leave children behind. Let's commit to securing the funds so that no children are left behind. And with that, we really need to dismiss this voucher argument. If we really are interested in no child being left behind, then let's make sure that we aren't going to leave them behind.

My friends and colleagues again provide the same talking points on failing schools. They are good talking points. But they are only good. They are not terribly good. We currently have approximately 10,000 schools. It would cost $1.8 billion to turn these schools into high-performing schools. But are those funds in the budget? Are those funds requested by the President? No. If we are serious about turning those schools around, we know how to do it. It takes reforms and it takes investment. We are on the road to success with the reforms, but we have not yet seen the investment.

Supporters of this amendment also claim that the $50 million to fund this program will not come from Title I. If not from Title I, then from where? This investment in vouchers has been portrayed as an investment that would not siphon funds in the federal budget away from education. Where in the world is this magic $50 million coming from? I don't know where it is. It is out here. They keep referring to it. I think we ought to take that magical pot with a never-ending fountain, invest it, and try to do something that is going to make a difference; that is, address the problems of failing schools. That is what we ought to be doing. But that is not the proposal here. This $50 million is, of course, money that could otherwise be spent in terms of helping and assisting schools. Under this amendment, schools in need of assistance would lose.

First of all, all of us understand the importance of the public school system and what a difference it has made in the hopes and dreams of families all over this country. I went to private school. I have a grandchild going to a public school, and nieces and nephews who go to public schools. Most of them are going to private schools. But I was able to go to a public school with good teachers. I was able to go to a school that had a curriculum that was a good curriculum. I was able to benefit from those.

We are trying to say let's try to do what we know works, and do that for children all over this country. We know what works in education. But vouchers don't. I will come to that. We know what works.

We have invested in what works—not completely the way I would like. But it isn't completely the way that I know my friend, Senator GREGG, would like, or that President Bush would like. It is a compromise. But it is one that we

can defend, if it is funded and invested in, because we are going to make sure that we are going to get better trained teachers and have opportunities to have smaller class sizes. And there are going to be evaluations on that.

I don't know how many times I have listened to my friends and colleagues over here talk about why this is different. You know why this is different. It is because in the old days, we just provided the resources but we didn't have the accountability. In the old days, we provided funds to States to use to build swimming pools and purchase football uniforms. States did not target funds to the neediest children with block grants.

We will continue to provide funding for our neediest children, but we are going to have accountability. That is the President's proposal, and that is our proposal. He wants annual assessments in the third grade and the eighth grade. Those assessments will help States measure progress. If schools don't measure up with annual yearly progress, States will take action. They will provide the resources to reform schools, and reconstitute them if necessary.

Hello. Not with the schools to which Mr. GREGG wants to permit these children to go. No, no. There is no guarantee in this amendment with that plea about that matter. I want to talk to that matter. If that matter happens to be limited English speaking, forget about going to these schools. Do you understand that? Forget about it. They do not have to take your child. And they don't, more often than not. If your child has a disability, forget about going because they do not have to take your child. IDEA doesn't apply to this. There is reference in here that IDEA applies. But it doesn't apply to private schools. If they are disabled, forget about going. If they have a disability, forget about bringing your child in. If you are a homeless or migrant student, you will not be guaranteed services. You have no guarantee. Forget about going to that school.

Do you get the picture?

It is very interesting. According to a 1998 survey conducted in conjunction with a Department of Education study on public school students and private schools, private schools indicated that, if they were required to accept public school students—look at this: Randomly assigned. What about saying there are a lot of children in that school, and all of them want to go to a particular school. Let's take randomly assigned students who go to a public school and later to a private school. Entrants decline by one-half. And 68 percent of private schools indicated that they would be unwilling to accept students with learning disabilities. 68 percent would be unwilling to accept students with limited English proficiency.

Under this condition, the percentage of schools that would definitely be willing to participate declines from 77 to 36 percent.

Hello. This great experiment in democracy of making sure that every child is going to have this choice and not have the needy schools that are failing on that, basically it is going to be a decision for private schools to make a judgment with regard to who they want, and make a conscious selection.

The idea that this is going to open doors for parents whose children are in failing schools as a way out raises a false hope, and it is one that should be rejected.

We are strongly committed to trying to do something about it. I know the Senator from New Hampshire is strongly committed. We know what has to be done. We are going to ensure that, with real accountability, schools will take steps to make sure they make annual, yearly progress, even based upon the existing tests in the old 1994 act which States already have in place. Schools will constantly have to make progress.

There is going to be a range of supplementary services available to children. They are going to have additional options to go to public schools if they need to. There will be afterschool programs available to them. There will be summer programs available to them.

As we accepted last night, there will be funding for creative summer programs which we have seen work in Boston last year. In those programs, they tied employment to reading. And children in that program, after 6 weeks of employment, increased their reading scores by 1.7 years. That is real progress taking place. We are strongly committed to that. But we want to provide that for all the children.

That is our commitment—high achievement for all children. Of course all of these parents who are faced with the prospect that their children will not make progress in the schools, if someone offers them a phony lifeline and says this is going to answer your problem, everybody is going to vote for that particular kind of opportunity. But that isn't being true to the complete picture.

We are trying to say we know what works. We are going to invest in these programs. We are going to move all of these children along together because we are one nation with one history and one destiny. We are all going to move along together.

That is what this commitment ought to be—not just to try to find some way that perhaps that one child or two children can move on. Good for them. But we want everyone to move along together. That is what our commitment is.

Private schools are not required to have assessments in their programs in the manner that the President has talked about. They are able to be selective about who will attend their schools. We are considering a proposal to divert scarce resources away from the nation's public school systems, where 90 percent of America's children receive an education.

If we find that the children going to the private schools today would like to go to the public schools, do you know what percent could go? Four percent. Of all of them, 4 percent could go to private schools. So what are we saying out there? Are we going to have an experiment that is going to be out there, and only 4 percent can go? This makes no sense.

Now let's get back to the facts about whether there are any meaningful, positive results from these experiments, in the first place, where they have been tried.

The first 5 years of the Milwaukee voucher program showed no achievement differences between voucher students and comparable students. That is from the University of Wisconsin at Madison report, their 5-year report. It is the Witte study.

Followup studies found that voucher students made no gains in reading and only small gains in math. In fact, low-income students in Milwaukee public schools that reduced class size outperformed voucher students in reading and did as well as voucher students in math. That is the Princeton study.

Cecilia Rouse, 1998, a State-sponsored independent evaluation of the first year of Cleveland's voucher program, conducted by researchers in Indiana—not up at Harvard, not at Yale, not at Princeton; in Indiana—found no significant achievement difference in all subjects between voucher students and comparable public school students. In the second year there were no achievement differences, except a slight advantage for voucher students in languages.

The recent Jay Greene study on the effects of vouchers in Florida is also in serious question. Many researchers found that the Florida vouchers did not enhance reform in public schools, other factors did. Some researchers did suggest that the threat of vouchers for students failing public schools caused math and writing gains among Florida's lowest performing public schools to increase. But Greene's research overestimates the effect of being designated a failing school and offers no evidence that the higher estimate test score gains by failing schools should be attributed to the threat of vouchers.

What else? We could go down the list. I have the studies for virtually all of the voucher programs here. We can take some time and go through this. Later perhaps, in the afternoon, we will have an opportunity to go through them. I will include in the RECORD the analysis of the cities that have been mentioned in this debate, and others,

in a very limited way, and ask they be printed in the RECORD so as to demonstrate that.

On the contrary, where have we seen the most progress made? Have we seen the most progress made in any State which has had vouchers? No. The most progress that has been made is in the State of North Carolina. In the State of North Carolina, public school reforms have been similar to those in Florida and have been initiated without vouchers, and student achievements have risen. The results are further reason to doubt the effectiveness of vouchers in public school reform.

The achievements in North Carolina have been notable. Every review, every evaluation, every examination, and every study finds unequivocally that North Carolina has made this significant and dramatic progress.

Here are the Rand studies. The Rand studies show that the gains in Texas and/or North Carolina, in both reading and math, were much higher than the average State gains and close to that of the State with the highest gains. If we were to average the gains across the States, North Carolina and Texas show the highest average gain among all the States. Do they have vouchers? No.

Here are the two States that are doing, what? In the bill we are investing in well-trained teachers, professional development, smaller class sizes, safer schools, afterschool programs, working with schools that are in trouble, as North Carolina does, in terms of closing down effectively the schools and putting them under new leadership, and bringing around new curriculum with new evaluations to benefit the children, having summer school programs—all of those that are out there—and having early reading programs, which is one of the areas Governor Hunt was so concerned with and is shown to be so important and successful, and a program included in this legislation providing for early reading programs.

I wish we could expand that. It is $75 million. That ought to be expanded for a nation when we know what is happening. Why are we talking, on the one hand, vouchers, for which there is virtually no evidence—we can stand around here all day and talk about the different tests, but the fact is, when you take the review of States that have made meaningful progress in terms of advancing academic achievement, they are not relying on vouchers, they are relying on the kinds of things we have in this legislation.

I find this proposal enormously troublesome for other reasons as well. If you look at the ''eligible entity'':

> The term ''eligible entity'' means a public agency, institution, or organization, such as a State—

This does not say it is going to go through the local superintendent of schools—

> a State or local educational agency, a county or municipal agency, a consortium of public agencies, or a consortium of public agencies and private nonprofit organizations, that can demonstrate, to the satisfaction of the Secretary. . . .

I do not quite understand this, in any event, because I wonder if in Boston the superintendent and the mayor say, ''We don't want it,'' and then they are able to go out and the Secretary gets some other public agency. It appears to me they would be eligible to develop a voucher system in a community. I would have thought at least they would want the superintendent of schools to say that, to give them the authority and the responsibility.

I think we ought to get back to the fundamentals. We know what works. And we know what works is investing and taking advantage of the kinds of things that have happened in this country over the period of these recent years, and building on those. We know what a difference that can make in terms of the children of this country and having well-trained teachers in the classroom, having the smaller class sizes, having a well-thought-out curriculum, having evaluations of the progress children are making with well-thought-out examinations and tests—not tests that are just a mechanical rote of knowledge, but also a thinking process for these children—helping and assisting with supplementary services, summer programs, afterschool programs, doing all of that.

There are schools that are not going to measure up. We are taking the kinds of items that are included in this bill, in terms of over a period of years, and putting the emphasis and stress on math and reading. They have the high priorities in the bill. This is what works. If we adopted this amendment, we would be drawing down scarce resources that would otherwise be used—make no mistake about it—to benefit all of the children. If we took those resources out and used them on a program that is largely discriminatory—because it does not give the guarantee of choice to the child or to the parent. It still makes the choice in the school's interest, not the child's interest. It does not provide for how that child is going to be evaluated. It completely is exempt from all the kinds of evaluation this President has talked about. How can you have that?

He talks about having evaluations and making sure children are going to learn and insists they have the annual test. And on the other hand he says, if you go to a private school, you don't have to do any of that.

What is happening here? What possible sense does that make? And he leaves it up to the school to make the judgment and decision, and without giving the protection to many of the children whether they are disabled children, limited-English children, other children with any kind of special needs. I think that is a failure.

Let us take the resources we have available and invest them in our children, invest in their future, invest in what we know can work, invest in this new partnership we will have with the Federal Government, the States, and local communities; the new partnership we are going to have involving parents, teachers, and the local communities. I think that is what we ought to be about.

Finally, I think on the whole issue on the vouchers, obviously, there are constitutional issues. I know in the remaining time that I have—I will not take the time to go through it, but there are serious constitutional issues as well.

But I strongly oppose this amendment just on the basis of the policy questions. These programs have not demonstrated effectiveness. The public, by and large, has rejected these issues time and again, across this country, and more than 80 percent in the District of Columbia. I know there is a potential voucher amendment for the District of Columbia.

This has been rejected across the country. When people know we are going to be serious about making a difference in investing in children and in the kinds of educational programs that are positive and will result in academic achievement and accomplishment, when we do that, the American people understand the importance of that type of investment. That is what this bill is about to do.

Its great failure to date is the fact that we have not received the kinds of assurances from the administration that they are going to make sure the benefits of this legislation are going to reach all of the children.

Mr. President, I see my colleague and friend from Michigan is here. I yield 5 minutes to the Senator.

The PRESIDING OFFICER (Mr. Edwards). The Senator from Michigan.

Ms. STABENOW. Mr. President, I thank my friend and colleague from Massachusetts who has been such a stalwart in advocating for our children throughout the process as it relates to this education bill. There has been give and take and working together in a bipartisan basis to formulate a bill that will focus on increasing accountability, goals for our children, but also resources. Many of us have been saying over and over again how the resources have to be coupled with the accountability so that every child has the opportunity to learn and we truly leave no child behind.

I rise in opposition to this amendment related to private school vouchers and speak on behalf of the people of Michigan who voted in the election last November resoundingly against a similar proposal that was on the ballot in Michigan. There was a lot of thoughtful discussion on both sides. The public resoundingly said no and focused on

what I believe to be a very wise course, which is to focus on making sure that every child in every school has the opportunity to learn and that we strengthen our public schools.

I have great respect for friends and colleagues who choose to send their children to private schools. We also know that even if 10 percent of the children in our public schools went to private schools through vouchers, we would still be faced with needing 5,000 new schools in the next number of years and doubling the number of schools in the 10 largest school systems in America, at a cost of $40 billion. Those costs don't go away. The needs don't go away. If a few children leave, you still have the majority there who need to have technology in the classroom, who need to have smaller class sizes so they can learn.

What we have found is that the voucher system pulls resources away but, in fact, does not improve education for all children.

I remember when we were debating a few years ago—maybe 3 years ago—the D.C. schools. We had, literally, roofs falling in. One fall, as school was getting ready to start, there was a proposal that, as the roof was falling in, we ought to have vouchers for 2,000 children out of 78,000 children in the Washington, DC, schools—that 2,000 ought to be able to have vouchers. There was a big debate about the 2,000 children and not a debate about the 78,000 children who still would be in schools that had broken roofs, schools that would have wastepaper baskets in the corner catching the water. The resources that were being debated to be pulled out for vouchers would not allow fixing of the roofs. It didn't make any sense.

In the end, we were fortunate that proposal did not pass at that time.

What we know is that over 90 percent of our children attend schools potentially facing budget cuts, potentially facing challenges relating to resources. We also know that we want every school to increase accountability. We want to make sure that if a public school is not working, the school system has the capacity to shut it down, to change personnel, to do the things necessary to increase accountability.

I believe strongly that needs to be done within the context of our public schools so that every child has the opportunity for people to be fighting for the best quality possible for them and not just diverting a few children away from that system while the rest are in schools that are not up to standards.

This is an incredibly important issue that we need to send a strong message, through a ''no'' vote on the amendment, that we support strengthening our public school system for every child. We have schools now doing wonderful work. We have schools now that are in trouble. We need to make sure that through what we are doing federally, we are recognizing and applauding and saluting our quality public schools and that we are providing the resources and the accountability which our children deserve and our families deserve, to make sure that no matter what door you walk through in what public school, in which neighborhood in the United States of America, you know that your child is going to receive the very best quality education.

That is what this fight is all about. I believe this amendment takes us in the wrong direction. I hope colleagues on both sides of the aisle will vote no and we will get back to the business of strengthening our public schools through this important legislation.

Mr. KENNEDY. Mr. President, for 1 minute, on North Carolina, a recent Rand Corporation report found that between 1990 and 1996, students showed the highest average annual gain in the National Assessment of Education Progress, the NAEP, reading and math tests. Those are national tests. SAT scores have risen 10 years in a row. The scores have improved more than any other State—a 40-point gain between 1990 and 2000, 10 points higher than the three other States with big gains.

Most recently, the States average SAT moved up as well between 1999 and the year 2000. This is a State that is doing it right. We tried to benefit from their experience.

The Senator from North Carolina, who is now presiding, was a particular help to our committee in sharing the experiences of North Carolina and ensuring that many of those very important aspects that have been successful in North Carolina would be available to benefit local communities in this legislation. That is the kind of thing we ought to be investing in so that all children will benefit.

I yield 10 minutes to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am here today because I strongly believe that Senator GREGG's voucher amendment moves this country and our public schools in the wrong direction.

All of us stand for equal opportunity for all children. This amendment might open doors to a few children, but it would shut them for many others. In the Senate, we are fighting to improve our public schools with resources. This amendment uses public funds to send a few students to private schools rather than investing in schools that serve all of our children.

We need to think about the consequences of this voucher amendment. In the bill before us, we are insisting on accountability for the use of Federal funds. This voucher program would funnel taxpayer dollars into schools that are not accountable to the public at all.

Beyond lack of accountability, let's remember that private schools don't even have to meet the same academic standards required for all public schools. Not all private schools are created equal. There are a lot of good ones, but there are some with lower quality and lower standards, and our tax dollars would go to them as well with no accountability.

Private schools are important. I am not here to speak against private schools. I am here to speak against an amendment that would damage public schools.

Mr. President, I want to talk about the four simple reasons I oppose this amendment. Vouchers undermine our public schools; vouchers leave children behind; vouchers mean less accountability; and vouchers are a distraction from the hard but essential work of ensuring that all public schools are good schools.

Our public schools are the cornerstone of our democracy, our communities, and our economy. They are entrusted with giving more than 90 percent of our children the education they need to be productive citizens. Vouchers would weaken public schools by diverting already scarce funds needed for smaller classes, afterschool programs, better facilities, and teacher training, to pay for private school tuition for a few select children—which really leads to the second reason I cannot support any voucher scheme.

Private schools may reject students for almost any reason, including disability, limited English proficiency, behavioral challenges, or academic deficiencies. Despite the rhetoric of this amendment, vouchers do not offer true choice for students. While parents may remove children from public schools, no voucher system guarantees admission to the school of their choice. Private schools will still choose which students they will admit.

While vouchers drain money from public schools to help a few students, other students are left at a public school with fewer resources. That will not help our kids succeed. In fact, it will probably lower the quality of education for the most challenged students, effectively leaving them behind.

Proponents of the underlying bill, including the author of this amendment, have said that accountability provisions are the key to not leaving students behind.

Well, Mr. President, my third objection is that this amendment would make these accountability provisions meaningless for thousands of students. This bill requires that the results of new reading and math testing in grades 3–8 be used to judge the quality of all public schools, and it sanctions schools that fail to make adequate yearly progress. But those accountability provisions and testing do not apply to private schools that benefit from vouchers.

If this accountability is truly essential to ensuring a good education, should it not apply to all schools that receive Federal funds?

Under this voucher plan, participating private schools do not have to give the same tests. They do not have to make adequate yearly progress. And they cannot be sanctioned. Public schools must comply with all Federal, State, and local civil rights, and health and safety requirements.

This voucher proposal doesn't even require participating private schools to protect the civil rights of school employees, or to maintain the separation of church and state.

Mr. President, I cannot support spending taxpayer dollars on schools with no public accountability.

Finally, vouchers drain away the resources and attention that should be focused on turning around low-performing schools. Vouchers offer an excuse to those who are unwilling to make the necessary investment or to roll up their sleeves and get involved in the hard work of leading a struggling public school into success.

Turning around low-performing schools is not magic. Hard-working people all across the country are doing it every single day.

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

Mrs. MURRAY. I am happy to yield.

Mr. KENNEDY. The Senator just made a comment that I think is particularly pertinent to this discussion on the question of accountability. Here in the legislation that we have before us—as we have debated over the past 7 or 8 weeks, much of that debate has been on accountability. But could the Senator indicate what her position is with regard to accountability for the schools where the children might be able to gain entry if they take these vouchers—what kind of accountability will be in place there? Are those schools included in this same kind of rigorous accountability, or will we be investing money in schools and not really know their impact on our children's future?

Mrs. MURRAY. Mr. President, it is very clear that as we have listened to this debate in the Senate, Senators on both sides of the aisle believe that the key to the success of the Elementary and Secondary Education Act is accountability, and a part of that is testing. The voucher system would mean that students could take public taxpayer dollars to a private school that has no testing requirements similar to the public schools, has no accountability, requires no accountability, and thus we are just sending taxpayer dollars to private schools that don't live by the same rules.

Mr. KENNEDY. If the Senator will yield further, part of the very, I think, strong presentation that the President has made is that he wants to ensure that tests are not used in a punitive way, but as instruments to gauge student progress and inform instruction. I think the Senator was there when we listened to Secretary Paige—he emphasized the importance of finding out what children don't know so there can be assistance provided to children to help them succeed. I have some enormously interesting examples. In our own State, where the teachers find out the class doesn't know much about fractions, they deal with that by teaching other aspects of mathematics over the course of the year. They are making up for lost progress in the past, and ensuring that children move along and keep up with the current material. There is a reason for accountability. If students are not able to make progress, they receive supplementary services—the afterschool programs, the summer programs, or the tutorials—to provide them with the extra help they need.

Now what is going to happen in voucher schools? Will those programs be available? How are we going to know whether these children are making progress?

Mrs. MURRAY. The Senator raises a key point. We won't know how they are progressing. As the Senator from Massachusetts knows, I was a school board member before I was a Senator. I can tell you of numerous school board meetings where we had citizens from our community sitting in big audiences before us saying: You are spending my taxpayer dollars and I want you to—fill in the blank. If we send our Federal taxpayer dollars to private schools, our citizens in our communities will not have the opportunity to go before a board that governs a private school to demand that their taxpayer dollars are spent wisely.

Mr. KENNEDY. One of the most important aspects of accountability provided for in this bill is giving information to parents so that they will be able to follow the development of their children. We have a school in Massachusetts where part of the portfolio for school success is a measure of parental involvement. Very interesting. That sounds like something that is way out, but, by George, that school was able to get their parents involved.

An essential element in this bill is the proposal to make sure that parents understand what is happening in their schools, and to be able to provide a comparison of their schools performance to other schools in the neighborhood. In this respect, and with school report cards, parents will be able to be effective, articulate spokespersons for their children's education. Will that be available under a voucher program?

Mrs. MURRAY. The Senator from Massachusetts knows that it would not. If our taxpayer dollars went to a private school in the form of a voucher, there would be no parental involvement, no community involvement, no taxpayer involvement on how their dollars were being spent.

Mr. KENNEDY. I thank the Senator for that. Is the Senator also aware that opportunities for children who are limited English proficient, or for children who may have a learning disability, or for migrant children or homeless children—those opportunities will not be driven by parents. The choice of how to serve those children, if they are served, will be made by the school under a voucher program. So does the Senator agree with me that the idea of somehow providing millions of American parents the opportunity for their children to be moved into a different situation with this proposal is really a distortion? Critical decisions will be made by schools that may not be inclined to reach out to children who have some special situation, special needs.

Mrs. MURRAY. The Senator from Massachusetts raises a very good point. I know many parents today with young children who are 2 and 3 years old are now trying to get their kids into private school. They are starting the application process already. It is very difficult to get into some of our best private schools. Imagine parents out there who are listening to rhetoric about a voucher program as some kind of magic bullet that their child will use to get into a private school, and that is not correct. In fact, private schools can say they will not take children with disabilities or with limited English proficiency or with the difficulties that they have experienced in the past.

So it is an empty promise to many parents who are thinking it is some kind of panacea—a voucher system that all of a sudden they will receive as taxpayers. The good private schools are hard to get into. We all know not all private schools are created equal. There are good ones and there are some not so good. This money would apply to all of them. I think we would lose for a lot of taxpayers in this country and our public school systems will lose even more.

Mr. KENNEDY. Finally, we have listened during the presentation of those who supported this amendment, that this was not really going to take money away from public school children.

We would like to find out where this magical pot of money is. They are saying we want to give assurance to all those who are voting with us and against us that this money will not be taken away. If we don't use this money, it still won't be available to children. I am somewhat mystified—I don't believe it. I don't think anybody in this body believes it.

Does the Senator agree these are scarce resources? We have reviewed the fact we are still only reaching a third of the children under the President's program. Under the President's program, there is no increase other than

the cost-of-living increase for children over the period of the next 8 years.

Resources are scarce. I wonder if the Senator from Washington buys the argument that this is not going to be money that would otherwise be used for professional development, or training teachers, or mentoring programs, or afterschool programs, or moving teachers into smaller class sizes. The Senator has been our national leader on that issue. Doesn't the Senator agree we could use that $50 million more effectively in terms of benefitting children rather than for a voucher program?

Mrs. MURRAY. Mr. President, as the Senator from Massachusetts knows well, we only fund one-third of the students who are eligible for title I today. It seems to me we should be investing the money in making sure title I students have access to additional help. If we reduce class size, if we provide teacher training, if we invest in public schools in a way we have promised for many years to do, vouchers would not be an argument on the floor. Our children everywhere would be getting the good education they should and we would not select just a few kids to go on to a few schools to succeed. We would go back to the principle we all espouse in the Senate, to leave no child behind.

As a country that cares about all of our children, we are making sure we invest in all of our children.

Mr. KENNEDY. I thank my friend and colleague.

As a school board member and a teacher of elementary school, Senator MURRAY brings a special insight into the education policy issues. I think we do well to heed her warnings and concerns.

Whatever time the Senator needs to conclude her remarks, I yield.

Mrs. MURRAY. I thank my colleague from Massachusetts. I urge all colleagues to think about the principles of this bill and the underlying concept: We want to make sure every child in this country succeeds. That is not what this amendment will do. It is what we need to do in terms of investing in our communities, our schools, in the right way, so all children can succeed.

There is no magic bullet. The vouchers amendment is certainly not one. I hope we are not tempted by the false promise of vouchers as that magic bullet.

I urge all of my colleagues to vote no.

Mr. KENNEDY. Mr. President, I take a moment or two to refer those interested in this debate to this report called ''Uncommon Wisdom, Effective Reform Strategies,'' from Mass Insight Education, an education-reform organization based in Boston, Massachusetts. Massachusetts is well on its way in terms of educational reform. We have been making progress in recent years.

This report illustrates a number of schools making very important and significant progress academically with their students. They include elementary, middle, and high schools. They illustrate the different techniques used in each of the schools. All the reforms vary somewhat, but all have been implemented within the framework that this bill supports: high standards; good professional development; data generated by meaningful, high-quality assessments; and extra support for the students in need of academic assistance.

This independent organization is highly regarded. They have reviewed various schools in our State, and have shared their findings so that other schools can make progress. Again, they identify four critical priorities: the development of the curriculum, the teaching, the assessment, and the intervention. Together, these reforms directly shape every student's educational experience in school. These four common elements have produced important and significant progress in each of the 22 Massachusetts schools included in this report.

In the Thompson School in Arlington, 30 percent of students receive free or reduced lunches, 15 percent have special needs, and 25 percent are students of color. It is a mixed blue-collar, working-class, middle/low-income high school that has been able to make extraordinary progress with their programs. There are countless other examples of schools, such as the Thompson school, that have reformed to produce results.

The bottom line is that the elements included in this report are elements we have included in this legislation. If we provide funding for these reforms, we will see these results in not only every school in Massachusetts but every school in the country. That is what we want to do.

The Senator from Rhode Island is here and I yield 10 minutes.

Mr. REED. Mr. President, I rise in opposition to the Gregg-Hutchinson amendment which authorizes a voucher program for private schools for 7 years, encompassing 10 cities and 3 States. I don't believe this is an appropriate educational policy we should be pursuing. Our first and foremost commitment should be to strengthen and improve reform of public education.

Frankly, as we go forward with the constrained resources, that primary challenge will be difficult to achieve. Dissipating funds for vouchers for private schools to me is not the appropriate response to a crisis in public education in the United States. For over 30 years, the Federal Government has made a commitment to help the students of America throughout the public education system. Particularly, we have committed to ensuring that low-income students are given a chance to succeed. We have created reforms over the last several years to help improve the learning environment and ensure a vigorous public education. Back in 1994 we streamlined reform of the title I program and other Federal programs. The thrust, the purpose, the constant theme is how we can help, working with the States and localities, to improve public education to ensure that every family in America has an opportunity to send their children to excellent, free, public schools.

This amendment takes us off that track, off that purpose. It would not improve public education in the United States. It would not respond to the need for safe schools, quality teachers, smaller classes, buildings that are well repaired and well maintained, or greater parental involvement. It would not ensure that all students reach high academic standards. It diverts scarce Federal resources from the public schools, our first and foremost priority. And it does so at a time when the massive tax cut that has just been passed weakens our ability to respond to the overwhelming needs of public education throughout this country.

As a result, I do not believe we should engage in this policy endeavor. In a world of finite resources, we have to be careful and conscious of our obligations to public education and our foremost responsibility, to ensure that public education is well served.

There are proponents of this legislation who say this amendment is really about giving families a choice. I do not believe this really is an issue of choice. Realistically, this amendment will never reach all the children in all the failing schools. So we know, even if this amendment is adopted and accepted, there will be children left behind in failing schools. That is not a choice for parents.

It seems to me, then, that we have to go back to our initial purpose, which is to try to improve every school in this country so no parent has to keep their children in a public school that is not performing. We need to give parents real choice, and we do not deal with the issue of choice by dissipating resources, by inviting some children to go to private schools and leaving others behind. We do it by confronting our responsibilities to reform each and every public school in this country.

There are other issues that complicate this approach to choice. First, giving a voucher to a family for their child does not ensure that child can go to the school the family chooses. Frankly, the nature of private education is they exclude students. They exclude students because they are not smart enough. They exclude students because they just do not fit in with their approach to education. They exclude students because, frankly, they are difficult or have discipline problems. Public education cannot do that.

Public education has to be inclusive. Public education has to reach out and embrace every child—those who are difficult and those who are honor students.

So this approach to reform fails on one other principal ground. We are not giving every family the full range of choice because private schools will exclude again and again and again. That is the nature of being a private enterprise. That, in some respects, some might argue, is one of their strengths. They can ensure all the children are part of their patent, that they fit in. That is not a luxury, frankly, that public education has. We have to recognize that. So this argument of choice is not something I think really carries the day.

Also, there are other issues. If we do embark on a voucher program such as this, it will invariably raise issues of the rights of parents to demand entry to these private schools. It will raise issues of whether or not it is conscionable to exclude these children, who now have public funds, from these schools. So there may be many in the private education community who would like to see this development, but they might, when it becomes, or if it becomes, a reality, think otherwise.

There are many things we have to do to ensure the education of the young people in America is excellent. We have to raise standards. We have to improve the professional development of teachers in public education. We have to enhance the ability of our schools to embrace and bring parents into the school system. We have to ensure that the buildings, the very buildings that children occupy, are places where they feel comfortable in terms of security and safety, in terms of just the feeling of being in a place that is esteemed enough to have the floors clean, the ceilings fixed, all the facilities working. There are too many schools in America that fail that test.

There are too many schools that do not have the appropriate programs to involve parents. There are too many schools that are not conscious of doing their best—too many public schools in this country. That is where our attention must lie. That is where our focus must lie. That is the purpose for which we come here—to ensure every public school in this country offers the families of America excellent, free, public education.

To embark on this approach of vouchers for private education is a mistake. It dissipates our resources. It also does not truly give the families of America choice.

There are today, within the public system, more and more opportunities for parents to choose among different schools within that public school system. There is the recognition that public school systems simply cannot stand pat any longer, they have to improve the quality of education, they have to reach out to teachers and parents and the community at large to restore trust, to rebuild not just the physical structure of the school, but also the educational scope and commitment to excellence of all schools. That is their job.

We can help, not by providing vouchers for private education, but by funding and authorizing programs that will require, and insist, that every public school in this country meets the standards of excellence. I hope we will do this.

I hope we will reject this amendment and get on with the business of the education bill before us and make a real commitment to public education.

Mr. President, I will yield the floor, but on behalf of Senator KENNEDY, at this time I will yield 10 minutes to the Senator from California, Mrs. BOXER.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from California is recognized.

Mrs. BOXER. Madam President, I say to the Senator from Rhode Island and Senator KENNEDY, thank you for your magnificent leadership on this issue of education.

We all know life is complex and we all face problems every day in our lives. Our society has problems, not the least of which is that sometimes our kids go astray; they make the wrong turn and struggle and sometimes wind up in difficult situations. Whether it is turning to juvenile delinquency—and we all know that happens to some of our kids—whether it is not being able to handle the stresses of broken families, we know we have problems in our society.

We also certainly know that there is no silver bullet. We wish there were one thing we could do that would be kind of a magic wand to fix all the problems we face, the problems our families face, the problems we face as individuals.

Let's say someone came up to me and said: You only have one answer. What would be the most important thing we could do to stop problems in our society, be it crime, be it drugs, be it alcohol use, be it sexual abuse? Talk about the issues; we all know they are here. What would be the one thing, if you had to choose only one and that was it—you couldn't pick five, or four, or three, or two—I would say it would be a quality education for every single child starting from the earliest times.

Why do I say that? It is because we know now that 90 percent of our brain capacity is set by age 3. So we know if we think all this starts later in life, we are wrong. If we can reach those children, particularly those children who may not have the support of a family structure, we can make a difference.

Will it solve the problem? No. But I can say to you that it will solve most of the problems.

I speak as someone who is an expert on public schools. Why? Because that is where I went. From kindergarten through college, I went to public schools. I am a first-generation American on my mother's side. My mother never graduated from high school. Here I am in the Senate.

For those people who may not like my politics, they say: God, look at what the public schools did to us. But for the people who think I fight hard and do things, that I can go toe to toe with most people in this institution who went to the fanciest schools, they say: Hey, look. Look at what our public schools can do.

That is why I strongly oppose the Gregg amendment. I think any effort in this Chamber to pull money away from our public schools before we know whether they are qualified, before we know that we are giving every child what he or she deserves to have, anything that pulls that money away from the public school system is absolutely wrong on its face. Well intentioned and the rest, it doesn't work.

We know we can provide what our kids need if we put the resources behind the rhetoric. Senator SCHUMER and I will have an amendment later today which will say to our colleagues, if you believe in this, vote for the Schumer-Boxer amendment, which is going to say let's make sure there are appropriations to fund education to match the authorization in this bill. We are going to have a chance to vote on that. But I have to say this. The amendment of Senator GREGG provides for voucher demonstration programs in 10 cities and 3 States. Our teachers are telling us not to pull resources out. Our voters have told us in California: Don't pull resources out of the public schools and put them in the private schools. In California, people have voted. They had a couple of voucher initiatives. The last one, Proposition 38, they defeated by 70.7 percent of the vote. Let me repeat that. Californians voted 70 percent against a voucher experiment. I have to tell you that we don't vote 70 percent for anything.

People always ask: How do you manage to represent a State such as California with 34 million people? I basically am honest in my answer. I say: I do my best. But on any given day, 30 percent of the people love me and 30 percent of the people hate me, and a third of the people have no idea who I am because there are 34 million people in that State. But 70 percent of them voted against vouchers.

It pulled everyone together—Republicans, Democrats, and Independents—because it is a very simple point. If you believe in the rhetoric of ''leave no child behind''—and our President uses it; I believe it—and, if it is real, then you don't leave them behind by pulling money out of the public schools and putting in these voucher initiatives which have a lot of problems.

We have a lot of laws on the books that I think are important. We know in the public schools you can't discriminate against any child for any reason. Every child who walks through that door is precious and important and equal to every other child, regardless if they have a disability, regardless of their gender, and regardless of their national origin.

The fact is, in this amendment we are going to have exceptions. Private schools can say they don't want any more girls; they just want to have boys; they can just say no, or vice versa. They can say they don't want any more boys and just take girls. There can be discrimination because that is the essence, frankly, of a private school. If they want to do that, fine. But just do not take the money. You do what you want but don't take taxpayer money. Don't pull it away from the public schools.

I admire a lot of private schools. I have a lot of them in my State. They give scholarships to needy children. They get a tax break, if they are a profit-making school, for doing that. I support that tax break. Scholarships for needy kids are the way to go, if private schools want to make sure their student body is diverse and interesting and helps kids. But to pull hard-earned taxpayer dollars away and put them into the private schools isn't the way to go. We know that just a few kids will benefit. Even the question of how much they will benefit has been looked at.

Let's say you are lucky enough to have enough money so a $2,000 voucher can help you pay for the rest of the tuition. Sometimes the tuition is $8,000, $10,000, or $12,000. There is no reliable research that shows voucher programs actually improve the education of our children or that voucher students outperform their public school peers. In fact, the policy analysis of a California education group reported that Proposition 38, the voucher initiative in our State, would cost more and affect fewer students in proven education reform.

What do I mean by that? It has been proven that smaller class size really helps student performance. Again, it is kind of a no-brainer thing. If a teacher can pay attention to fewer kids, she or he is going to do a better job. It costs much less to put that reform in place than to have a voucher initiative in our State.

Now we are reducing class size. We are seeing results. We are seeing great results. That is the track on which we should stay. Someday when we have quality education for every public school child—where 95 percent of our kids go, by the way—I am willing to look at other ways to help other kids in private schools. I may always be biased against it because I believe in public schools. I think it makes our country different from every other country. It gives every kid a chance at the American dream. But I will look at it once I know every child has a quality education. We know they don't have quality education in every school district in this country. The purpose of this underlying bill is to make sure we give every child a quality education.

Let's talk about Michigan. Michigan had a vote on vouchers. They voted it down 68–31. What are we doing here? We are reinventing a voucher plan that has already been voted down in California by more than 70 percent of the vote and by 69 percent of the vote in Michigan. Once again, voters are expressing their concern that we are pulling money away from public schools.

Let me say that one independent Princeton researcher found that when students in Milwaukee's public schools program were given extra resources to reduce class size, they actually outperformed those kids who were on the voucher.

Let me reiterate. There is an independent study that showed that kids in Wisconsin, who had the advantage of smaller class size, outperformed other students who had vouchers in reading, and they did as well as those students in math.

The drain on the public school system in Milwaukee is evident. According to the Wisconsin Education Association Council, the voucher initiative took $22 million away from the public schools.

Why would we do that? We know vouchers don't guarantee equal access. In Milwaukee, 40 percent of the kids who sought to participate in the voucher program could not find schools that would take them. They could be particularly harmful to a student who is not the ''cream of the crop.'' Suppose the student is disabled, has limited English, or suppose they are homeless. A private school is going to look twice, scratch its head, and say: Maybe not.

That goes against the American dream, which is, again, an equal chance for every child, regardless of their circumstance.

I think this amendment is an important amendment. I hope it will be defeated because the underlying bill is really about reform—reform of our public schools. By pulling funds away, we hurt that reform effort.

I had a successful amendment that I offered to this bill, cosponsored by my Republican colleague, JOHN ENSIGN. It was about after school. We want to make sure kids after school do not get into trouble. We know, if we look at the charts, what happens. The FBI charts show, for sure, that is when kids get in trouble.

This was a bipartisan amendment. It passed with a very healthy majority. But I do not want to see us now turn around and take money away from that effort for after school and away from the effort of smaller class size and all the other things we are trying to do in this bill. I do not want to see that happen.

I see my colleague from New York is in the Chamber. She has worked so hard on this bill and has dedicated her life to kids. I am very excited she is going to be partaking of this debate this morning.

To sum up my argument, it is this: Our public schools are what make our country different from most other countries because they give us all a shot at the American dream. Are the public schools perfect? No, they are not. Do we have to hold them accountable? Yes, we do. Do we need to make improvements? Yes, we do. Do we need to invest in the children in those schools? Yes, we do. Do we need to demand results? Yes, we do.

But if we pull those dollars away from the public schools and we put them into the private schools, where 5 percent of the children go, we are making a huge mistake. My voters in California have shown that on several occasions. Voters in Michigan have shown that. They want to see us fix up our public schools first, make them work first. Then maybe we will have the luxury to look outside the system.

We should demand the most from our kids, the most from our teachers, the most from our principals, the most from our school districts, the most from our Governors. But when we expect that, we should provide the resources, we should not pull them away from the public schools.

Thank you very much, Madam President.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mrs. CLINTON. I yield myself 15 minutes.

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

The Senator from New York is recognized.

Mrs. CLINTON. Madam President, I commend and thank my good friend, the Senator from California, for her usual eloquence and energy in putting forth a very commonsense proposal, which is that we ought to do everything in our power to make sure our public schools work before turning our backs on them. I especially note her telling all of us that voters in California and Michigan, who have been given the chance to vote on vouchers in their own States, have not only rejected that proposal but have done so overwhelmingly.

I join my friend from California, and so many others, in opposing the Gregg amendment which would provide $50 million for a voucher demonstration program. I think it is fair to ask: Why would I and others oppose a mere experiment?

What I would like to do is just reflect back for a minute on an experience I

had which really crystallized my opposition for me.

A few years ago I was in Northern Ireland, in Belfast, where I was privileged to meet with a number of people who were crossing sectarian lines to try to come together to find a way to peacefully coexist after decades and decades of troubles between Protestant and Catholic citizens. I was so struck, after a daylong conference—where we spoke about how to set up a governing assembly, how to provide economic opportunity, how we could get more people involved in the participation required for a democracy to work—when several people said: But the real problem we face is in our schools.

I said: What do you mean?

A number of them went on to tell me that from the very earliest of ages children from the two religious traditions grew up in very separate environments. There are literally barriers between Catholic and Protestant neighborhoods, and then they go to schools that are run by the respective churches into which they are born.

Person after person said to me: We will never live and work in peace if we don't go to school together. We won't have a chance to get to know one another. Can't you help us have a public school system like you have in America?

That made such an impression on me because I have been fortunate to travel all over the world. I have been in many countries on every continent except Antarctica. In every country I go to, I meet very smart people. I meet athletic stars, Olympic gold medal winners. I meet scientists, very successful business leaders, and great artists. Yet there is something very different about every other society than ours because no other society has committed itself to the proposition that all people have the opportunity to live up to their God-given potential and that we will provide universal public education, to offer that to each young boy and girl.

We are not perfect. We know that. We know we have schools that fail at this responsibility. Yet the goal we have set and the results we have seen, from a commitment to public education for so many years now, have been realized in the success of this country, in the uniqueness of our mobility, and in the opportunities we make available.

There are some children who, frankly, start out pretty far behind the starting line. They do not have the family background. They do not have the environmental enrichment. They do not have families who will help them succeed in school. They are often trapped in generational poverty. When you have poor people, you often have poor services.

It is a challenge to those of us who believe in public education to come up with reasons to oppose something that sounds so good. You can read the supporters' comments. They say: In some of our large cities, children are trapped in failing schools. They should be set free. And we should, therefore, give them money to go to a private or parochial school. And it sounds so good. But it has a number of serious flaws that I hope will lead a majority in this Chamber to vote against it.

Let's take, first, the fact that the experiments that have been run—because we have already run experiments on vouchers—have demonstrated absolutely no evidence that vouchers help to improve student achievement.

Secondly, we know vouchers do not help the students who need the help the most.

Thirdly, vouchers do nothing to help improve public schools. In fact, research shows clearly that vouchers only further segregate and stratify our public schools.

That does not stop the proponents. I often have remarked since I have been in Washington that Washington operates in an evidence-free zone. You can put out the evidence, and if it runs counter to the ideology, then the evidence does not count.

But clearly there is no evidence. In fact, a 1998 study of the Milwaukee public school choice program, done by Cecilia Rouse of Princeton University, found that students in public schools with smaller class size and additional State funding experienced significantly faster reading scoring gains than students who attended private schools through the program.

In Cleveland, a study of the voucher program found no significant difference between the achievement of voucher students and their public school counterparts in reading, mathematics, social studies—the full battery of tests—after controlling for background characteristics, including prior achievement.

So I do not think we need another experiment to tell us vouchers do not work. We already have clear evidence of that fact.

But there are those who argue that increasing competition among public schools, through vouchers, will help improve student achievement in failing schools. But we know that, too, is a false promise.

We know what does work—strong accountability, coupled with the extra attention that students who need it require, and the kinds of intervention we have heard about—everything from preschool to parental involvement to afterschool and summer school.

Scholars from the Economic Policy Institute, Duke University, and the Charles A. Dana Center at the University of Texas, as well as Stanford University, have found that States with strong accountability systems which do not include vouchers were successful in improving student achievement in the lowest performing public schools. Researchers call it the scarlet-letter effect, which shows that if a school is termed ''failing,'' the school is often motivated to improve. That is what we should be focusing on now, and that is what we are focusing on in this education debate.

I also worry that trying to provide sufficient funds to afford a student a choice that is meaningful will siphon much needed funds out of our public school system. A $1,500 voucher, for example, is just not sufficient in most large cities I am aware of, and we, therefore, know that families have to add a substantial contribution themselves. In Milwaukee, for example, as many as 46 percent of students dropped out of the voucher program in the first year, and 28 percent dropped out in the fifth year because the $3,600 voucher was not sufficient to cover costs such as registration fees, books, uniforms, and transportation.

We also have to worry that if you implement vouchers, then very often the motivated students and their parents will take advantage of them and we will see the kind of exodus from the public schools that will only make it more difficult to change their futures.

How can we justify taking $50 million away from proven practices of improving student achievement? We need to do more to lower class sizes. Yet we were unsuccessful in continuing a proven program to do just that by helping to fund teachers in the classroom. Our friends on the other side said: That is not something the Federal Government should be doing; so even though we know it works, we won't vote for it.

We were unsuccessful in having construction and modernization and repair funding available where we know that so many schools, particularly the very schools we are talking about, are literally falling down around the heads of students and teachers. We were told: Well, modernizing our schools is not a Federal responsibility.

We need to recruit and retain teachers, and we know we are not going to do that if we don't provide competitive salaries and bonuses and other financial rewards. And we have a long way to go before we have the teaching core, the quality teaching core we need in our country. Instead of investing in proven measures to raise student achievement, we are being asked to divert and siphon off these dollars.

I started by saying that my concern is not only based on the fact there isn't any evidence this works, that it siphons money out of the public schools, that, in effect, it opens the door to giving up on what we know makes a difference in our children's lives, but that also public schools, for me, are the distinguishing characteristic that sets us apart from many other societies. They are the bedrock of our democracy. I don't think we would be giving up on any of our fundamental freedoms so

easily. I don't think we would be turning our back on our Constitution or our Bill of Rights. Yet without a strong public school system, we could, in effect, be doing just that.

At a time when we are trying to hold students and teachers to higher standards, diverting scarce resources to fund an experiment that we already know has weak results and could very well undermine the future of public education, which takes care of 95 percent of our students and works well in most parts of our country, is a very tragic step in the wrong direction.

I heard the end of the remarks of my colleague from California. I know she is a very strong supporter of public education, as I am. And like her, I went to public schools from kindergarten through high school. I believe in public schools. I was struck by what she said. If we were already doing what we know works, if we had lowered class sizes, if we had imposed the discipline, if we had recruited and paid teachers in the hard-to-teach schools what they should be paid, if we had modernized our schools so we didn't have chunks of plaster falling on teachers' heads, as recently happened in a school in my State, then if we still didn't have results, maybe even we very strong public school advocates would be willing to say: Well, we need to try something. But we are nowhere near there.

We have turned our backs on the children who need us the most. We have basically left them in the most poorly funded schools with the least qualified teachers, often not even encountering a certified teacher without adequate resources, without being held accountable, and we say: Well, what do you know; it is failure.

This is similar to so many of the other proposals that would undermine public education. It is aimed not at solving the problem but at coming up with a short-term, ideologically driven answer to a complicated set of issues. It is tragic that when we know what works, we are unwilling to step up and fund the resources that will give every child in America, no matter who that child's parents might be, the same chance I was given.

I urge my colleagues to oppose this amendment. I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time? The Senator from New Hampshire.

Mr. GREGG. Madam President, I believe the understanding I had with Senator KENNEDY was that Senator KENNEDY and the proponents of his position would have until 12:15, and then from 12:15—it was a casual understanding—we would go back to our side. I understand there are Members on his side who wish to speak, and we have a Member on our side.

It is my intention at this time to yield the 15 minutes we had reserved on our side to Senator ENSIGN from Nevada.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. May I ask a question of the minority side?

The PRESIDING OFFICER. Will the Senator yield for a question?

Mr. GREGG. Yes, I yield for a question.

Mr. KERRY. Madam President, it is my understanding, then, that there is a prior agreement that a full 15 minutes will be used by the minority side, and then it will come back over here?

Mr. GREGG. There was no formal agreement, but there was an understanding that people presenting Senator KENNEDY's position on this amendment would go from 12 to 12:15, and we would go from 12:15 to 12:30, and then we will be in the break for the meetings of the caucuses. Then we would be coming back. I understand the Senator from Massachusetts wanted to go into morning business; is that correct?

Mr. KERRY. Madam President, that is correct. I ask the following, if it is possible. I ask unanimous consent that the Senator from Nevada be permitted to proceed. Does he intend to use the full 15 minutes? Might the Senator from Nevada use less?

Mr. ENSIGN. Madam President, 10, 15 minutes, somewhere in there.

Mr. KERRY. Madam President, I ask unanimous consent that the Senator from Nevada be permitted to proceed, the Senator from Minnesota then be permitted to speak for 5 minutes, and then I be permitted to speak as in morning business, at which point the Senate would recess for the caucuses.

Mr. GREGG. I have no problem with that. The time of the Senator from Minnesota will come off of the time of the Senator from Massachusetts. Both the Senator from Massachusetts and the Senator from Minnesota will come off of the time of the Senator from Massachusetts.

Mr. KERRY. Madam President, I ask that we change that. I am not going to speak on the bill.

I ask unanimous consent that the 5 minutes of the Senator from Minnesota come off Senator KENNEDY's time, and that the time that I use be time as in morning business until we recess for the caucuses.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. I have no objection. I will amend it to include that the time used up in this discussion be applied equally to both sides.

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

Mr. GREGG. Madam President, I yield to the Senator from Nevada 15 minutes, or such time as he may consume.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Madam President, many colleagues will come to the floor today and state that federally funded vouchers will ruin our public schools. I say flatly that this is wrong.

This program does not take money away from any school. This amendment creates a demonstration program and authorizes new funding to pay for it. But, even if the Gregg amendment did not provide new funding, vouchers would not take money away from public schools. It a student uses a voucher to go to a private school, a public school no longer has to pay the cost of educating that student. And, in most cases, a voucher is given for less money than the average per pupil expenditure in the school district, thus saving the school money.

Under the Gregg amendment, the voucher program is voluntary. It permits 10 cities and 3 states to apply for grants to operate a low-income public/private choice program for students attending failing schools.

This amendment ensures that children in our Nation's poorest neighborhoods, who attend our Nation's most struggling schools, have the opportunity to get out and attend a better, higher-performing school. These vouchers allow parents to choose the best academic setting for their child.

In my opinion, the reason all of my colleagues should support this amendment is because it is going to help children succeed in school. None of us wants a child to be stuck in a school that has been identified as failing for 3 years. Rather, we want our children to be in an environment where they can not only learn but excel in what they are learning. Vouchers have made this achievement possible for many students who otherwise would not have succeeded.

School choice, be it private or public, has been proven to drive reform in our Nation's schools. Why? Because competition breeds reform. How can a school be expected to rise above mediocrity if it is not challenged? In my opinion a lack of competition breeds mediocrity.

If you look around us today, I will bet you that everyone here has sought out the best schools for our children. Many of us are fortunate, and can afford a move to a better school district, or can send our children to private schools. I bet that most lobbyists, including those for the National Education Association, in Washington, DC, send their children to private schools. However, many in our country are not as fortunate. How can we idly sit by and abandon children in failing schools?

This amendment will help those who cannot afford to send their children to private schools and cannot afford to move to a better school district.

A study by Harvard researchers found that students who stayed in a voucher program for 3 or 4 years registered reading scores 3 to 5 percentile points

higher and math scores 5 to 11 percentile points higher than a public school control group.

A study on the Milwaukee choice program found that scholarship recipients experience a 1.5 to 2.3 percentile point gain over their peers in math for each year spent in a private school.

Studies of private school choice programs in both Washington, DC, and Dayton, OH, found that black students who switched from public to private schools experienced an overall test score gain of 3.3 percentile points the first year, and 6.3 percentile points the second year over the control group.

If this trend continues, the researchers contend that the achievement gap in reading and math between white and minority students would be eliminated.

Isn't this what everyone here wants: to have all students excel? Do we not want our nation's students to prove that they can do as well or better than their counterparts worldwide?

Test results released last year on the National Assessment for Educational Progress, and the International Math and Science Survey, showed that children who attend private and parochial schools scored higher than their counterparts in public school.

Students in private and parochial schools did better. It is as simple as that. Why then would we not allow low-income students who attend chronically failing schools a chance to attend schools that have proven time and again that they can and do increase student achievement?

Parents strongly support public school choice; and yes, even vouchers. A recent poll done by the National Education Association (NEA) found that 63 percent of parents polled favored legislation that would provide parents with tuition vouchers of $1,500 a year to send their children to any public, private, or charter school. I ask my colleagues, what parent would not want to be given a chance to send their child to a better, higher performing school?

I have had conversations with public school superintendents, principals, and teachers who support vouchers. Yes, they support them. But, they are afraid of stating their support publicly because of the teacher unions.

In fact, public school teachers send their own children to private schools at a higher rate than the general population. In Cleveland 39.7 percent of the public-school teachers living in the city sent at least one child to a private school. The average rate for non-teacher families was 25.2 percent. Here in Washington, DC, 28.2 percent of public school teachers send their children to private schools versus 19.7 percent of the general population. And finally, in Boston, 44.6 percent of public teachers send their children to private schools, versus 28.9 percent of all parents.

It is not surprising that private organizations have initiated private school voucher programs and have had an unbelievable response. For example, the Children's Scholarship Fund offered 40,000 vouchers to similar students in cities across the United States. They received 1.25 million applicants. In Baltimore alone 67 percent of the eligible student pool applied for one of these vouchers.

One of the reasons for this response is simple: parents are seeing the results that private schools have on test results and want their child to receive that same education.

However, the results from introducing vouchers in areas where public schools are failing our students are not only academic. Yes, test results have increased, but so have high school completion rates, college attendance rates, and parental satisfaction. In addition, students in private schools are better disciplined and feel safer in their school.

The Federal Government already provides a type of voucher to low- to middle-income students with the Pell grant program. Pell grants are given to students to attend any college or university that they want; be it public, private, or parochial. The Federal Government has supported this, and as a result the American higher education system is the envy of the world.

How is a Pell grant any different than a voucher for elementary or secondary school?

I am not here today to attack our public schools. In most places, including my own state, our public schools are doing an outstanding job. But, in some places they are not. Some schools are simply failing to educate the children who attend them.

Vouchers not only help students leave these failing schools, but also help to foster change in the schools they are leaving. Principals, teachers and superintendents do not want to have failing schools. They want their school to produce smart and productive children.

In fact, with the introduction of the A+ program in Florida, failing schools did improve. Schools given a D or F improved by implementing longer school days, providing additional teacher training and professional development opportunities, and creating special programs to improve math and reading skills for at-risk students.

This is what I want to see happening nationwide. I want to see our public schools improve; to prove to us that they can teach our students just as well, if not better, than private schools.

I believe that this legislation provides the assistance that many public schools need to foster these changes and improvements. But I also believe that this amendment is a necessary part of this legislation. This amendment ensures that students in school districts that are struggling to improve student achievement will be given a chance to attend a school that does improve achievement.

I hope that my colleagues will support this amendment, and support children in failing schools receive a better education.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized.

Mr. WELLSTONE. Madam President, because there are other Senators desiring to speak on this, I can do this in less than 5 minutes. An awful lot has been said.

I was listening to my colleague from Nevada, and I thought I might say at the beginning, in terms of my background, all of our children went to public schools. My wife Sheila worked at the library of the high school. I think this reminds me of a debate I was involved in with Senator HATCH from Utah when I first came to the Senate, a sharp debate, but done with some friendliness and a twinkle in our eye.

I said to Senator HATCH, if Democrats and Republicans in the Senate could say to me as a Senator from Minnesota, we have lived up to our commitment to leaving no child behind—I have heard so much about leaving no child behind: We have fully funded prekindergarten education so every child in America comes to kindergarten ready to learn—that is where the Federal Government could be a real player; we have fully funded the title I program for children from disadvantaged backgrounds. We have lived up to our commitment to fund the IDEA program for children with special needs; We have voted for smaller class size and voted to get more teachers, good teachers into teaching, to join many good teachers who are teaching; we have voted for there to be an investment of money to rebuild crumbling schools because crumbling schools tell the children we don't give a damn; we have voted for resources for support services so there are counselors and teacher assistance and to help kids in reading; We have done it all, and none of it has worked; We have made our commitment to public education, and it has not worked; at that point in time, I might be the first person to embrace vouchers. But we have not done any of that. It is for that reason alone that I vigorously oppose this amendment introduced by the Senator from New Hampshire.

Second, in my understanding in this proposal—by the way, the exclusive private schools cost a lot—I don't know how it is that low-income children are going to be able to afford this, even with the help they get here. This is fantasy land to believe that is the case.

There is not a requirement to accept children, for example, who have special needs. If that is the case, and I believe it is, I oppose this amendment for that reason alone. I do not support public

money that is not linked to making sure that every child will be able to benefit, including children with special needs. I have made my case.

One other point. This bill is called BEST. This piece of legislation in its present form so far, beyond testing every child at every grade from grade 3, 4, 5, 6, 7, 8, and telling every school district in every State they have to do it, I see no guarantee anywhere in this legislation that provides any resources to make sure every child will have the same opportunity to learn. I don't see it in this legislation. I don't see it. It didn't happen last week with the trigger amendment on Title I. I am not aware of any agreement with the administration. This is putting the cart ahead of the horse, talking about vouchers, without making the commitment to public education.

The tragedy is we have plenty of issues in our States, huge disparities of resources between children in more affluent districts and districts less affluent, States that could do better with surpluses, and Minnesota is an example. I cannot believe we are not making more of an investment in education in our own State. But at the Federal level, Senators, we have not even come close to matching the words we speak with the action we are taking. We have not lived up to our commitment to leaving no child behind, which I have said a million times, cannot be accomplished on a tin-cup education budget. That is all we have.

Until we make the commitment to invest in the skills and intellect and character of all children in our country—and it starts with education, which is the foundation of opportunity—I could never support this voucher proposal. I hope it is defeated.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Massachusetts is recognized.

## GLOBAL WARMING

Mr. KERRY. Madam President, yesterday President Bush, in the Rose Garden, conducted a ceremony in which he addressed the question of global warming and our environment. There are many issues on the table, obviously, as the President meets in Europe. I don't want to discuss those issues now because the President is abroad, and I think that would not be appropriate.

However, it is appropriate, because the President spoke yesterday about the subject of global warming, and I think it is important to respond to his comments.

Regrettably—I say this with an enormous sense of lost opportunity—the President did not offer our Nation any specific policy as to how he now plans to address some of the basic fundamental, easily acceptable concepts with respect to global warming. The President did accept science at the beginning of his comments, but at the end of his comments again he raised questions about the science, which seems to be the good cop/bad cop aspect of the comments the administration is making with respect to this issue.

The President essentially called for more study and said his administration is currently engaged in a review. Most who have been involved in this issue for 10 years or more and who have accepted the science understand there are a clear set of priorities that do not require a study that effective leadership could immediately move to put into place without an economic downside but with an enormous positive upside for our country and for the globe. More study is good. I am not suggesting there are not elements of this issue where we don't have an enormous amount of science to still develop. I will talk about that in a moment.

In any system as complex as global climate change, there are uncertainties. Obviously, we have to continue research. However, we will find, I am confident, as the National Academy of Sciences warned last week, that the longer we go without taking the simple, clearly definable steps that there is consensus on among most people who have seriously studied this issue, the more we procrastinate, then the danger is even greater in the long term than we currently understand it to be.

I think it is important to note, there is no way to study yourself out of this problem. Second, even as the President claims what they are doing is simply reviewing the bidding and making sort of a further analysis of what the options are, even as they claim that, the fact is the President is taking precipitous and potentially dangerous and clearly counterproductive steps that will have enormous long-term implications for America's ability to resolve the challenge of climate change.

To underscore this point, the National Academy of Sciences, at the request of the White House, issued a report last week assessing our understanding of climate change. In addition to reaffirming the scientific consensus that climate change is underway and getting worse, the National Academy of Sciences made an extraordinarily relevant observation:

> National policy decisions made now and in the long-term future will influence the extent of any damage suffered by vulnerable human populations and ecosystems later in this century.

Indeed, since the earliest days of the administration, the President has made a series of policy decisions that will profoundly impact our ability to protect the global environment, all the while purporting to be simply studying the issue.

So it is really clear that while the President says they are going to study it, that he has asked for his Cabinet review, and while the President says there are certain unknowns that impact the choices we will make, the President is not neutral in the choices he is making which will have a long-term impact on the choices with which we are left with respect to this issue.

Specifically, while the administration claims to be studying the issue, the President has repeatedly questioned the underlying science of climate change and attempted to reignite the debate over whether the threat is real. This was done despite the fact of the Intergovernmental Panel on Climate Change, a scientific panel founded at the behest of his own father; despite earlier assessments by the National Academy of Sciences; and despite some top government and university researchers in this Nation; and despite personal statements of concern from researchers around the country.

Let me just refer to today's New York Times where there is an article that says, ''Warming Threat Requires Action Now, Scientists Say.'' I will just read very quickly:

> Indeed, to many experts embroiled in the climate debate, the question of how much warming is too much—which has been at the center of international climate negotiations for a decade—now constitutes a red herring. They say it is more important to start from the point of widest agreement—that rising concentrations of heat-trapping gases are warming the atmosphere, and that adding a lot more is probably a bad idea. The next step, they say, is to adopt policies that will soon flatten the rising arc on graphs of global emissions while also pursuing more research to clarify the risks.
>
> Many note that recent studies suggest a fairly high risk of significant ecological harm from a global temperature rise of less than 1 degree Fahrenheit and of substantial coastal flooding and agricultural disruption if temperatures rise more than 4 or 5 degrees in the new century.
>
> Global temperatures have risen 1 degree Fahrenheit in the last 50 years; since the last Ice Age, they have risen about 9 degrees.
>
> The risks are clear enough to justify some investments now in emissions controls, they say.
>
> They say that the general quandary is no different from the kind faced by town officials who must judge how much road salt to buy based on uncertain long-term winter weather forecasts, or by countries deciding whether to invest in a missile defense system that might not ever have to shoot down a missile.
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> ''It's silly to expect that we can resolve what the future is going to be,'' said Dr. Roger A. Pielke Jr., a mathematician and political scientist at the National Center for Atmospheric Research in Boulder, Colo. ''That's like trying to do economic policy by asking competing economists what level the stock market is going to be at 20 years from now.''

Yesterday, I was in Boston with a number of extraordinary scientists, among them the Nobel laureate who helped discover the ozone hole, Dr. Jim McCarthy, a professor of biology at Harvard University, and a member of the IPCC working group. He said, imagine yourself as a parent and somebody