

Pickett Scarborough Sununu
Pitts Schaefer, Dan Talent
Pombo Schaffer, Bob Tanner
Pomeroy Sensenbrenner Tausin
Porter Sessions Taylor (MS)
Portman Shadegg Taylor (NC)
Price (NC) Shaw Thomas
Pryce (OH) Shays Thornberry
Quinn Shimkus Thune
Radanovich Shuster Tiahrt
Ramstad Skeen Traficant
Redmond Skelton Turner
Regula Slaughter Upton
Riggs Smith (MI) Walsh
Riley Smith (NJ) Wamp
Roemer Smith (OR) Watkins
Rogan Smith (TX) Watts (OK)
Rogers Smith, Adam Weldon (FL)
Rohrabacher Smith, Linda Weldon (PA)
Ros-Lehtinen Snowbarger Weller
Solomon Solomon White
Royce Souder Whitfield
Ryun Spence Wicker
Salmon Stearns Wilson
Sanford Stenholm Young (AK)
Saxton Stump Young (FL)

NOT VOTING—10

Cunningham Manton Thompson
Gekas McDade Yates
Gonzalez Moakley
Harman Packard

So the amendment was not agreed to.

83.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. NORTON:

Page 58, strike lines 3 through 5 (and redesignate the succeeding provision accordingly).

It was decided in the negative
Yeas 109
Nays 313
Answered present 1

83.23 [Roll No. 410]
AYES—109

Abercrombie Frank (MA) Meeks (NY)
Aderholt Gephardt Menendez
Barrett (WI) Goodling Millender-
Becerra Gutierrez McDonald
Bentsen Hastings (FL) Mink
Berry Hilliard Obey
Bishop Hobson Owens
Blumenauer Holden Pallone
Bonior Hooley Pastor
Borski Horn Paul
Brady (PA) Hyde Payne
Brady (TX) Jackson (IL) Poshard
Brown (CA) Jackson-Lee Rivers
Brown (FL) (TX) Rodriguez
Brown (OH) Jefferson Rothman
Campbell Johnson (WI) Roybal-Allard
Capps Johnson, E. B. Rush
Carson Kaptur Sanchez
Clay Kennedy (MA) Sanders
Clayton Kennedy (RI) Sandlin
Clement Kennelly Sawyer
Clyburn Kildee Schaffer, Bob
Coble Kilpatrick Scott
Conyers Kucinich Serrano
Costello Lampson Smith (MI)
Coyne Lazio Smith, Adam
Cramer Lee Stark
Cummings Levin Stokes
Davis (IL) Lewis (GA) Taylor (NC)
DeLauro Lipinski Tierney
Doggett Lucas Towns
Duncan Luther Velazquez
Ehlers Markey Vento
Farr McDermott Visclosky
Fattah McGovern Waters
Filner McKinney Watkins
Ford Meek (FL) Watt (NC)

NOES—313

Ackerman Baldacci Bateman
Allen Ballenger Bereuter
Andrews Barcia Berman
Archer Barr Bilbray
Arney Barrett (NE) Bilirakis
Bachus Bartlett Blagojevich
Baesler Barton Bliley
Baker Bass Blunt

Boehler Hefner Pickett
Boehner Heger Pitts
Bonilla Hill Pombo
Bono Hillery Pomeroy
Boswell Hinchey Porter
Boucher Hinojosa Portman
Boyd Hoekstra Price (NC)
Bryant Hostettler Pryce (OH)
Bunning Houghton Quinn
Burr Hoyer Radanovich
Burton Hulshof Rahall
Buyer Hunter Ramstad
Callahan Hutchinson Rangel
Calvert Inglis Redmond
Camp Istook Regula
Candy Jenkins Reyes
Cannon John Riggs
Cardin Johnson (CT) Riley
Castle Johnson, Sam Roemer
Chabot Jones Rogan
Chambliss Kanjorski Rogers
Chenoweth Kasich Rohrabacher
Christensen Kelly Ros-Lehtinen
Coburn Kim Roukema
Collins Kind (WI) Royce
Combust King (NY) Ryun
Condit Kingston Sabo
Cook Kleczka Salmon
Cooksey Klink Sanford
Cox Klug Saxton
Crane Knollenberg Scarborough
Crapo Kolbe Schaefer, Dan
Danner LaFalce Schumer
Davis (FL) LaHood Sensenbrenner
Davis (VA) Lantos Sessions
Deal Largent Shadegg
DeFazio Latham Shaw
DeGette DeGette LaTourrette
Delahunt Leach Sherman
DeLay Lewis (CA) Shimkus
Deutsch Lewis (KY) Shuster
Diaz-Balart Linder Sisisky
Dickey Livingston Skaggs
Dicks LoBiondo Skeen
Dingell Lofgren Skelton
Dooley Lowey Slaughter
Doolittle Maloney (CT) Smith (NJ)
Doyle Maloney (NY) Smith (OR)
Dreier Manzano Smith (TX)
Dunn Martinez Smith, Linda
Edwards Mascara Snowbarger
Ehrlich Matsui Snyder
Emerson McCarthy (MO) Solomon
Engel McCarthy (NY) Souder
English McCollum Spence
Ensign McCrery Spratt
Eshoo McHale Stabenow
Etheridge McHugh Stenholm
Everett McInnis Strickland
Ewing McIntyre Stump
Fawell McKeon Stupak
Fazio McNulty Sununu
Foley Meehan Talent
Forbes Metcalf Tanner
Fossella Mica Tauscher
Fowler Miller (CA) Tauscher
Fox Miller (FL) Tauscher
Franks (NJ) Minge Thornberry
Frelinghuysen Mollohan Thune
Frost Moran (KS) Thurman
Furse Moran (VA) Tiahrt
Gallegly Morella Torres
Ganske Murtha Traficant
Gejdenson Myrick Turner
Gekas Nadler Upton
Gibbons Neal Walsh
Gilchrist Nethercutt Wamp
Gillmor Neumann Watts (OK)
Gilman Ney Waxman
Goode Northup Weldon (FL)
Goodlatte Norwood Weldon (PA)
Gordon Nussle Weller
Goss Oberstar Wexler
Graham Oliver Weygand
Granger Ortiz White
Green Oxley Whitfield
Greenwood Pappas Wicker
Gutknecht Parker Wilson
Hall (OH) Pascrell Wise
Hall (TX) Paxon Wolf
Hamilton Pease Woolsey
Hansen Pelosi Wynn
Hastert Peterson (MN) Young (AK)
Hastings (WA) Peterson (PA) Young (FL)
Hayworth Petri
Hefley Pickering

NOT VOTING—11

Cubin Manton Stearns
Cunningham McDade Thompson
Gonzalez Moakley Yates
Harman Packard

So the amendment was not agreed to.
The SPEAKER pro tempore, Mr. TIAHRT, assumed the Chair.
When Mr. CAMP, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

83.24 ORDER OF BUSINESS—
CONSIDERATION OF AMENDMENTS OF
H.R. 4380

On motion of Mr. TAYLOR of North Carolina, by unanimous consent,

Ordered, That it may be in order during the further consideration in the Committee of the Whole House on the state of the Union of the bill (H.R. 4380) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes, pursuant to House Resolution 517, that no amendment shall be in order thereto except for the following amendments, which shall be considered as read, shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole House on the state of the Union, and shall be debatable for the time specified, equally divided and controlled by the proponent and a Member opposed thereto: Amendment by Mr. Largent made in order under the rule for fifteen minutes; amendment by Mr. Bilbray made in order under the rule for ten minutes; amendment by Mr. Barr regarding ballot initiative and the Controlled Substances Act for ten minutes; and the amendment by Mr. Arney made in order by the rule for 30 minutes.

83.25 DISTRICT OF COLUMBIA
APPROPRIATIONS FOR FY 1999

The SPEAKER pro tempore, Mr. TIAHRT, pursuant to House Resolution 517 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4380) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes.

Mr. CAMP, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

83.26 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. ARMEY:

Page 58, after line 10, insert the following:
TITLE II—DISTRICT OF COLUMBIA
STUDENT OPPORTUNITY SCHOLARSHIPS
SEC. 201. DEFINITIONS.
As used in this title—

ANSWERED "PRESENT"—1

Dixon

(1) the term "Board" means the Board of Directors of the Corporation established under section 202(b)(1);

(2) the term "Corporation" means the District of Columbia Scholarship Corporation established under section 202(a);

(3) the term "eligible institution"—

(A) in the case of an eligible institution serving a student who receives a tuition scholarship under section 203(c)(1), means a public, private, or independent elementary or secondary school; and

(B) in the case of an eligible institution serving a student who receives an enhanced achievement scholarship under section 203(c)(2), means an elementary or secondary school, or an entity that provides services to a student enrolled in an elementary or secondary school to enhance such student's achievement through instruction described in section 203(c)(2);

(4) the term "parent" includes a legal guardian or other person standing in loco parentis; and

(5) the term "poverty line" means the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

SEC. 202. DISTRICT OF COLUMBIA SCHOLARSHIP CORPORATION.

(a) GENERAL REQUIREMENTS.—

(1) IN GENERAL.—There is authorized to be established a private, nonprofit corporation, to be known as the "District of Columbia Scholarship Corporation", which is neither an agency nor establishment of the United States Government or the District of Columbia Government.

(2) DUTIES.—The Corporation shall have the responsibility and authority to administer, publicize, and evaluate the scholarship program in accordance with this title, and to determine student and school eligibility for participation in such program.

(3) CONSULTATION.—The Corporation shall exercise its authority—

(A) in a manner consistent with maximizing educational opportunities for the maximum number of interested families; and

(B) in consultation with the District of Columbia Board of Education or entity exercising administrative jurisdiction over the District of Columbia Public Schools, the Superintendent of the District of Columbia Public Schools, and other school scholarship programs in the District of Columbia.

(4) APPLICATION OF PROVISIONS.—The Corporation shall be subject to the provisions of this title, and, to the extent consistent with this title, to the District of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29-501 et seq.).

(5) RESIDENCE.—The Corporation shall have its place of business in the District of Columbia and shall be considered, for purposes of venue in civil actions, to be a resident of the District of Columbia.

(6) FUND.—There is established in the Treasury a fund that shall be known as the District of Columbia Scholarship Fund, to be administered by the Secretary of the Treasury.

(7) DISBURSEMENT.—The Secretary of the Treasury shall make available and disburse to the Corporation, before October 15 of each fiscal year or not later than 15 days after the date of enactment of an Act making appropriations for the District of Columbia for such year, whichever occurs later, such funds as have been appropriated to the District of Columbia Scholarship Fund for the fiscal year in which such disbursement is made.

(8) AVAILABILITY.—Funds authorized to be appropriated under this title shall remain available until expended.

(9) USES.—Funds authorized to be appropriated under this title shall be used by the Corporation in a prudent and financially responsible manner, solely for scholarships, contracts, and administrative costs.

(10) AUTHORIZATION.—

(A) IN GENERAL.—There are authorized to be appropriated to the District of Columbia Scholarship Fund—

(i) \$7,000,000 for fiscal year 1999;

(ii) \$8,000,000 for fiscal year 2000; and

(iii) \$10,000,000 for each of fiscal years 2001 through 2003.

(B) LIMITATION.—Not more than 7.5 percent of the amount appropriated to carry out this title for any fiscal year may be used by the Corporation for salaries and administrative costs.

(b) ORGANIZATION AND MANAGEMENT; BOARD OF DIRECTORS.—

(1) BOARD OF DIRECTORS; MEMBERSHIP.—

(A) IN GENERAL.—The Corporation shall have a Board of Directors (referred to in this title as the "Board"), comprised of 7 members with 6 members of the Board appointed by the President not later than 30 days after receipt of nominations from the Speaker of the House of Representatives and the Majority Leader of the Senate.

(B) HOUSE NOMINATIONS.—The President shall appoint 3 of the members from a list of 9 individuals nominated by the Speaker of the House of Representatives in consultation with the Minority Leader of the House of Representatives.

(C) SENATE NOMINATIONS.—The President shall appoint 3 members from a list of 9 individuals nominated by the Majority Leader of the Senate in consultation with the Minority Leader of the Senate.

(D) DEADLINE.—The Speaker of the House of Representatives and Majority Leader of the Senate shall submit their nominations to the President not later than 30 days after the date of the enactment of this Act.

(E) APPOINTEE OF MAYOR.—The Mayor shall appoint 1 member of the Board not later than 60 days after the date of the enactment of this Act.

(F) POSSIBLE INTERIM MEMBERS.—If the President does not appoint the 6 members of the Board in the 30-day period described in subparagraph (A), then the Speaker of the House of Representatives and the Majority Leader of the Senate shall each appoint 2 members of the Board, and the Minority Leader of the House of Representatives and the Minority Leader of the Senate shall each appoint 1 member of the Board, from among the individuals nominated pursuant to subparagraphs (A) and (B), as the case may be. The appointees under the preceding sentence together with the appointee of the Mayor, shall serve as an interim Board with all the powers and other duties of the Board described in this title, until the President makes the appointments as described in this subsection.

(2) POWERS.—All powers of the Corporation shall vest in and be exercised under the authority of the Board.

(3) ELECTIONS.—Members of the Board annually shall elect 1 of the members of the Board to be the Chairperson of the Board.

(4) RESIDENCY.—All members appointed to the Board shall be residents of the District of Columbia at the time of appointment and while serving on the Board.

(5) NONEMPLOYEE.—No member of the Board may be an employee of the United States Government or the District of Columbia Government when appointed to or during tenure on the Board, unless the individual is on a leave of absence from such a position while serving on the Board.

(6) INCORPORATION.—The members of the initial Board shall serve as incorporators and shall take whatever steps are necessary to establish the Corporation under the District

of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29-501 et seq.).

(7) GENERAL TERM.—The term of office of each member of the Board shall be 5 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor was appointed shall be appointed for the remainder of such term.

(8) CONSECUTIVE TERM.—No member of the Board shall be eligible to serve in excess of 2 consecutive terms of 5 years each. A partial term shall be considered as 1 full term. Any vacancy on the Board shall not affect the Board's power, but shall be filled in a manner consistent with this title.

(9) NO BENEFIT.—No part of the income or assets of the Corporation shall inure to the benefit of any Director, officer, or employee of the Corporation, except as salary or reasonable compensation for services.

(10) POLITICAL ACTIVITY.—The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

(11) NO OFFICERS OR EMPLOYEES.—The members of the Board shall not, by reason of such membership, be considered to be officers or employees of the United States Government or of the District of Columbia Government.

(12) STIPENDS.—The members of the Board, while attending meetings of the Board or while engaged in duties related to such meetings or other activities of the Board pursuant to this title, shall be provided a stipend. Such stipend shall be at the rate of \$150 per day for which the member of the Board is officially recorded as having worked, except that no member may be paid a total stipend amount in any calendar year in excess of \$5,000.

(c) OFFICERS AND STAFF.—

(1) EXECUTIVE DIRECTOR.—The Corporation shall have an Executive Director, and such other staff, as may be appointed by the Board for terms and at rates of compensation, not to exceed level EG-16 of the Educational Service of the District of Columbia, to be fixed by the Board.

(2) STAFF.—With the approval of the Board, the Executive Director may appoint and fix the salary of such additional personnel as the Executive Director considers appropriate.

(3) ANNUAL RATE.—No staff of the Corporation may be compensated by the Corporation at an annual rate of pay greater than the annual rate of pay of the Executive Director.

(4) SERVICE.—All officers and employees of the Corporation shall serve at the pleasure of the Board.

(5) QUALIFICATION.—No political test or qualification may be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, or employees of the Corporation.

(d) POWERS OF THE CORPORATION.—

(1) GENERALLY.—The Corporation is authorized to obtain grants from, and make contracts with, individuals and with private, State, and Federal agencies, organizations, and institutions.

(2) HIRING AUTHORITY.—The Corporation may hire, or accept the voluntary services of, consultants, experts, advisory boards, and panels to aid the Corporation in carrying out this title.

(e) FINANCIAL MANAGEMENT AND RECORDS.—

(1) AUDITS.—The financial statements of the Corporation shall be—

(A) maintained in accordance with generally accepted accounting principles for nonprofit corporations; and

(B) audited annually by independent certified public accountants.

(2) REPORT.—The report for each such audit shall be included in the annual report to Congress required by section 210(c).

(f) ADMINISTRATIVE RESPONSIBILITIES.—

(1) SCHOLARSHIP APPLICATION SCHEDULE AND PROCEDURES.—Not later than 30 days after the initial Board is appointed and the first Executive Director of the Corporation is hired under this title, the Corporation shall implement a schedule and procedures for processing applications for, and awarding, student scholarships under this title. The schedule and procedures shall include establishing a list of certified eligible institutions, distributing scholarship information to parents and the general public (including through a newspaper of general circulation), and establishing deadlines for steps in the scholarship application and award process.

(2) INSTITUTIONAL APPLICATIONS AND ELIGIBILITY.—

(A) IN GENERAL.—An eligible institution that desires to participate in the scholarship program under this title shall file an application with the Corporation for certification for participation in the scholarship program under this title shall—

(i) demonstrate that the eligible institution has operated with not less than 25 students during the 3 years preceding the year for which the determination is made unless the eligible institution is applying for certification as a new eligible institution under subparagraph (C);

(ii) contain an assurance that the eligible institution will comply with all applicable requirements of this title;

(iii) contain an annual statement of the eligible institution's budget; and

(iv) describe the eligible institution's proposed program, including personnel qualifications and fees.

(B) CERTIFICATION.—

(i) IN GENERAL.—Except as provided in subparagraph (C), not later than 60 days after receipt of an application in accordance with subparagraph (A), the Corporation shall certify an eligible institution to participate in the scholarship program under this title.

(ii) CONTINUATION.—An eligible institution's certification to participate in the scholarship program shall continue unless such eligible institution's certification is revoked in accordance with subparagraph (D).

(C) NEW ELIGIBLE INSTITUTION.—

(i) IN GENERAL.—An eligible institution that did not operate with at least 25 students in the 3 years preceding the year for which the determination is made may apply for a 1-year provisional certification to participate in the scholarship program under this title for a single year by providing to the Corporation not later than July 1 of the year preceding the year for which the determination is made—

(I) a list of the eligible institution's board of directors;

(II) letters of support from not less than 10 members of the community served by such eligible institution;

(III) a business plan;

(IV) an intended course of study;

(V) assurances that the eligible institution will begin operations with not less than 25 students;

(VI) assurances that the eligible institution will comply with all applicable requirements of this title; and

(VII) a statement that satisfies the requirements of clauses (ii) and (iv) of subparagraph (A).

(ii) CERTIFICATION.—Not later than 60 days after the date of receipt of an application described in clause (i), the Corporation shall certify in writing the eligible institution's provisional certification to participate in the scholarship program under this title unless the Corporation determines that good cause exists to deny certification.

(iii) RENEWAL OF PROVISIONAL CERTIFICATION.—After receipt of an application under clause (i) from an eligible institution that includes a statement of the eligible in-

stitution's budget completed not earlier than 12 months before the date such application is filed, the Corporation shall renew an eligible institution's provisional certification for the second and third years of the school's participation in the scholarship program under this title unless the Corporation finds—

(I) good cause to deny the renewal, including a finding of a pattern of violation of requirements described in paragraph (3)(A); or

(II) consistent failure of 25 percent or more of the students receiving scholarships under this title and attending such school to make appropriate progress (as determined by the Corporation) in academic achievement.

(iv) DENIAL OF CERTIFICATION.—If provisional certification or renewal of provisional certification under this subsection is denied, then the Corporation shall provide a written explanation to the eligible institution of the reasons for such denial.

(D) REVOCATION OF ELIGIBILITY.—

(i) IN GENERAL.—The Corporation, after notice and hearing, may revoke an eligible institution's certification to participate in the scholarship program under this title for a year succeeding the year for which the determination is made for—

(I) good cause, including a finding of a pattern of violation of program requirements described in paragraph (3)(A); or

(II) consistent failure of 25 percent or more of the students receiving scholarships under this title and attending such school to make appropriate progress (as determined by the Corporation) in academic achievement.

(ii) EXPLANATION.—If the certification of an eligible institution is revoked, the Corporation shall provide a written explanation of the Corporation's decision to such eligible institution and require a pro rata refund of the proceeds of the scholarship funds received under this title.

(3) PARTICIPATION REQUIREMENTS FOR ELIGIBLE INSTITUTIONS.—

(A) REQUIREMENTS.—Each eligible institution participating in the scholarship program under this title shall—

(i) provide to the Corporation not later than June 30 of each year the most recent annual statement of the eligible institution's budget; and

(ii) charge a student that receives a scholarship under this title not more than the cost of tuition and mandatory fees for, and transportation to attend, such eligible institution as other students who are residents of the District of Columbia and enrolled in such eligible institution.

(B) COMPLIANCE.—The Corporation may require documentation of compliance with the requirements of subparagraph (A), but neither the Corporation nor any governmental entity may impose requirements upon an eligible institution as a condition for participation in the scholarship program under this title, other than requirements established under this title.

SEC. 203. SCHOLARSHIPS AUTHORIZED.

(a) ELIGIBLE STUDENTS.—The Corporation is authorized to award tuition scholarships under subsection (c)(1) and enhanced achievement scholarships under subsection (c)(2) to students in kindergarten through grade 12—

(1) who are residents of the District of Columbia; and

(2) whose family income does not exceed 185 percent of the poverty line.

(b) SCHOLARSHIP PRIORITY.—

(1) FIRST.—The Corporation first shall award scholarships to students described in subsection (a) who—

(A) are enrolled in a District of Columbia public school or preparing to enter a District of Columbia public kindergarten, except that this subparagraph shall apply only for academic years 1998-1999, 1999-2000, and 2000-2001; or

(B) have received a scholarship from the Corporation for the academic year preceding the academic year for which the scholarship is awarded.

(2) SECOND.—If funds remain for a fiscal year for awarding scholarships after awarding scholarships under paragraph (1), the Corporation shall award scholarships to students who are described in subsection (a), not described in paragraph (1), and otherwise eligible for a scholarship under this title.

(3) LOTTERY SELECTION.—The Corporation shall award scholarships to students under this subsection using a lottery selection process whenever the amount made available to carry out this title for a fiscal year is insufficient to award a scholarship to each student who is eligible to receive a scholarship under this title for the fiscal year.

(c) USE OF SCHOLARSHIP.—

(1) TUITION SCHOLARSHIPS.—A tuition scholarship may be used for the payment of the cost of the tuition and mandatory fees for, and transportation to attend, an eligible institution located within the geographic boundaries of the District of Columbia; Montgomery County, Maryland; Prince Georges County, Maryland; Arlington County, Virginia; Alexandria City, Virginia; Falls Church City, Virginia; Fairfax City, Virginia; or Fairfax County, Virginia.

(2) ENHANCED ACHIEVEMENT SCHOLARSHIP.—An enhanced achievement scholarship may be used only for the payment of the costs of tuition and mandatory fees for, and transportation to attend, a program of instruction provided by an eligible institution which enhances student achievement of the core curriculum and is operated outside of regular school hours to supplement the regular school program.

(e) NOT SCHOOL AID.—A scholarship under this title shall be considered assistance to the student and shall not be considered assistance to an eligible institution.

SEC. 204. SCHOLARSHIP AWARDS.

(a) AWARDS.—From the funds made available under this title, the Corporation shall award a scholarship to a student and make scholarship payments in accordance with section 205.

(b) NOTIFICATION.—Each eligible institution that receives the proceeds of a scholarship payment under subsection (a) shall notify the Corporation not later than 10 days after—

(1) the date that a student receiving a scholarship under this title is enrolled, of the name, address, and grade level of such student;

(2) the date of the withdrawal or expulsion of any student receiving a scholarship under this title, of the withdrawal or expulsion; and

(3) the date that a student receiving a scholarship under this title is refused admission, of the reasons for such a refusal.

(c) TUITION SCHOLARSHIP.—

(1) EQUAL TO OR BELOW POVERTY LINE.—For a student whose family income is equal to or below the poverty line, a tuition scholarship may not exceed the lesser of—

(A) the cost of tuition and mandatory fees for, and transportation to attend, an eligible institution; or

(B) \$3,200 for fiscal year 1999, with such amount adjusted in proportion to changes in the Consumer Price Index for all urban consumers published by the Department of Labor for each of fiscal years 2000 through 2003.

(2) ABOVE POVERTY LINE.—For a student whose family income is greater than the poverty line, but not more than 185 percent of the poverty line, a tuition scholarship may not exceed the lesser of—

(A) 75 percent of the cost of tuition and mandatory fees for, and transportation to attend, an eligible institution; or

(B) \$2,400 for fiscal year 1999, with such amount adjusted in proportion to changes in the Consumer Price Index for all urban consumers published by the Department of Labor for each of fiscal years 2000 through 2003.

(d) ENHANCED ACHIEVEMENT SCHOLARSHIP.—An enhanced achievement scholarship may not exceed the lesser of—

(1) the costs of tuition and mandatory fees for, and transportation to attend, a program of instruction at an eligible institution; or

(2) \$500 for 1999, with such amount adjusted in proportion to changes in the Consumer Price Index for all urban consumers published by the Department of Labor for each of fiscal years 2000 through 2003.

SEC. 205. SCHOLARSHIP PAYMENTS.

(a) PAYMENTS.—The Corporation shall make scholarship payments to the parent of a student awarded a scholarship under this title.

(b) DISTRIBUTION OF SCHOLARSHIP FUNDS.—Scholarship funds may be distributed by check, or another form of disbursement, issued by the Corporation and made payable directly to a parent of a student awarded a scholarship under this title. The parent may use the scholarship funds only for payment of tuition, mandatory fees, and transportation costs as described in this title.

(c) PRO RATA AMOUNTS FOR STUDENT WITHDRAWAL.—If a student receiving a scholarship under this title withdraws or is expelled from an eligible institution after the proceeds of a scholarship is paid to the eligible institution, then the eligible institution shall refund to the Corporation on a pro rata basis the proportion of any such proceeds received for the remaining days of the school year. Such refund shall occur not later than 30 days after the date of the withdrawal or expulsion of the student.

SEC. 206. CIVIL RIGHTS.

(a) IN GENERAL.—An eligible institution participating in the scholarship program under this title shall not discriminate on the basis of race, color, national origin, or sex in carrying out the provisions of this title.

(b) APPLICABILITY AND CONSTRUCTION WITH RESPECT TO DISCRIMINATION ON THE BASIS OF SEX.—

(1) APPLICABILITY.—With respect to discrimination on the basis of sex, subsection (a) shall not apply to an eligible institution that is controlled by a religious organization if the application of subsection (a) is inconsistent with the religious tenets of the eligible institution.

(2) CONSTRUCTION.—With respect to discrimination on the basis of sex, nothing in subsection (a) shall be construed to require any person, or public or private entity to provide or pay, or to prohibit any such person or entity from providing or paying, for any benefit or service, including the use of facilities, related to an abortion. Nothing in the preceding sentence shall be construed to permit a penalty to be imposed on any person or individual because such person or individual is seeking or has received any benefit or service related to a legal abortion.

(3) SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—With respect to discrimination on the basis of sex, nothing in subsection (a) shall be construed to prevent a parent from choosing, or an eligible institution from offering, a single-sex school, class, or activity.

(c) REVOCATION.—Notwithstanding section 202(f)(2)(D), if the Corporation determines that an eligible institution participating in the scholarship program under this title is in violation of subsection (a), then the Corporation shall revoke such eligible institution's certification to participate in the program.

SEC. 207. CHILDREN WITH DISABILITIES.

Nothing in this title shall affect the rights of students, or the obligations of the District

of Columbia public schools, under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

SEC. 208. RULE OF CONSTRUCTION.

(a) IN GENERAL.—Nothing in this title shall be construed to prevent any eligible institution which is operated by, supervised by, controlled by, or connected to, a religious organization from employing, admitting, or giving preference to, persons of the same religion to the extent determined by such institution to promote the religious purpose for which the eligible institution is established or maintained.

(b) SECTARIAN PURPOSES.—Nothing in this title shall be construed to prohibit the use of funds made available under this title for sectarian educational purposes, or to require an eligible institution to remove religious art, icons, scripture, or other symbols.

SEC. 209. REPORTING REQUIREMENTS.

(a) IN GENERAL.—An eligible institution participating in the scholarship program under this title shall report to the Corporation not later than July 30 of each year in a manner prescribed by the Corporation, the following data:

(1) Student achievement in the eligible institution's programs.

(2) Grade advancement for scholarship students.

(3) Disciplinary actions taken with respect to scholarship students.

(4) Graduation, college admission test scores, and college admission rates, if applicable for scholarship students.

(5) Types and amounts of parental involvement required for all families of scholarship students.

(6) Student attendance for scholarship and nonscholarship students.

(7) General information on curriculum, programs, facilities, credentials of personnel, and disciplinary rules at the eligible institution.

(8) Number of scholarship students enrolled.

(9) Such other information as may be required by the Corporation for program appraisal.

(b) CONFIDENTIALITY.—No personal identifiers may be used in such report, except that the Corporation may request such personal identifiers solely for the purpose of verification.

SEC. 210. PROGRAM APPRAISAL.

(a) STUDY.—Not later than 4 years after the date of enactment of this Act, the Comptroller General shall enter into a contract, with an evaluating agency that has demonstrated experience in conducting evaluations, for an independent evaluation of the scholarship program under this title, including—

(1) a comparison of test scores between scholarship students and District of Columbia public school students of similar backgrounds, taking into account the students' academic achievement at the time of the award of their scholarships and the students' family income level;

(2) a comparison of graduation rates between scholarship students and District of Columbia public school students of similar backgrounds, taking into account the students' academic achievement at the time of the award of their scholarships and the students' family income level;

(3) the satisfaction of parents of scholarship students with the scholarship program; and

(4) the impact of the scholarship program on the District of Columbia public schools, including changes in the public school enrollment, and any improvement in the academic performance of the public schools.

(b) PUBLIC REVIEW OF DATA.—All data gathered in the course of the study described

in subsection (a) shall be made available to the public upon request except that no personal identifiers shall be made public.

(c) REPORT TO CONGRESS.—Not later than September 1 of each year, the Corporation shall submit a progress report on the scholarship program to the appropriate committees of Congress. Such report shall include a review of how scholarship funds were expended, including the initial academic achievement levels of students who have participated in the scholarship program.

(d) AUTHORIZATION.—There are authorized to be appropriated for the study described in subsection (a), \$250,000, which shall remain available until expended.

SEC. 211. JUDICIAL REVIEW.

(a) JURISDICTION.—

(1) IN GENERAL.—The United States District Court for the District of Columbia shall have jurisdiction in any action challenging the constitutionality of the scholarship program under this title and shall provide expedited review.

(2) STANDING.—The parent of any student eligible to receive a scholarship under this title shall have standing in an action challenging the constitutionality of the scholarship program under this title.

It was decided in the { Yeas 214
affirmative } Nays 208

83.27

[Roll No. 411]

AYES—214

Aderholt	Everett	Lewis (CA)
Archer	Ewing	Lewis (KY)
Army	Foley	Linder
Bachus	Forbes	Lipinski
Baker	Fossella	Livingston
Ballenger	Fowler	Lucas
Barr	Fox	Manzullo
Barrett (NE)	Franks (NJ)	McCollum
Bartlett	Frelinghuysen	McCrery
Barton	Gallely	McInnis
Bass	Ganske	McIntosh
Bateman	Gekas	McKeon
Bereuter	Gibbons	Metcalf
Bilbray	Gilchrest	Mica
Bilirakis	Gillmor	Miller (FL)
Bliley	Gilman	Moran (KS)
Blunt	Gingrich	Myrick
Boehner	Goode	Nethercutt
Bonilla	Goodlatte	Neumann
Bono	Goodling	Northup
Boyd	Goss	Norwood
Brady (TX)	Graham	Nussle
Bryant	Granger	Oxley
Bunning	Greenwood	Pappas
Burr	Gutknecht	Parker
Burton	Hall (TX)	Paxon
Buyer	Hastert	Pease
Callahan	Hastings (WA)	Peterson (PA)
Calvert	Hayworth	Petri
Camp	Hefley	Pickering
Campbell	Herger	Pitts
Canady	Hill	Pombo
Cannon	Hilleary	Porter
Castle	Hobson	Portman
Chabot	Hoekstra	Pryce (OH)
Chambliss	Horn	Quinn
Christensen	Hostettler	Radanovich
Coble	Houghton	Redmond
Coburn	Hulshof	Regula
Collins	Hunter	Riggs
Combest	Hyde	Riley
Condit	Inglis	Rogan
Cook	Istook	Rogers
Cooksey	Jenkins	Rohrabacher
Cox	Johnson, Sam	Ros-Lehtinen
Crane	Jones	Royce
Cubin	Kasich	Ryun
Davis (VA)	Kelly	Salmon
Deal	Kennedy (MA)	Sanford
DeLay	Kim	Saxton
Diaz-Balart	King (NY)	Scarborough
Dickey	Kingston	Schaefer, Dan
Doolittle	Klug	Schaffer, Bob
Dreier	Knollenberg	Sensenbrenner
Duncan	Kolbe	Sessions
Dunn	LaHood	Shadegg
Ehlers	Largent	Shaw
Ehrlich	Latham	Shays
Emerson	LaTourrette	Shimkus
Ensign	Lazio	Shuster